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Commission on Crime Prevention and Criminal Justice

Report on the seventeenth session (26 November 2007 and 14–18 April 2008)

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Commission on Crime Prevention and Criminal Justice

Report on the seventeenth session (30 November 2007 and 14-18 April 2008)

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Chapter I

Matters calling for action by the Economic and Social Council or brought to its attention

A. Draft resolution to be recommended by the Economic and Social Council for adoption by the General Assembly

1. The Commission on Crime Prevention and Criminal Justice recommends to the Economic and Social Council the approval of the following draft resolution for adoption by the General Assembly:

Preparations for the Twelfth United Nations Congress on Crime Prevention and Criminal Justice

The General Assembly,

Recalling its resolution 56/119 of 19 December 2001 on the role, function, periodicity and duration of the United Nations congresses on the prevention of crime and the treatment of offenders, and its resolution 62/173 of 18 December 2007 on follow-up to the Eleventh United Nations Congress on Crime Prevention and Criminal Justice and preparations for the Twelfth United Nations Congress on Crime Prevention and Criminal Justice, in which it, inter alia, accepted the offer of the Government of Brazil to act as host to the Twelfth Congress,

Considering that, pursuant to its resolutions 415 (V) of 1 December 1950 and 46/152 of 18 December 1991, the Twelfth Congress is to be held in 2010,

Bearing in mind the guidelines for and the format of United Nations congresses, as stipulated in paragraph 2 of its resolution 56/119, as well as paragraphs 29 and 30 of the statement of principles and programme of action of the United Nations crime prevention and criminal justice programme, annexed to its resolution 46/152,

Bearing in mind also the conclusions and recommendations contained in the report of the meeting of the Intergovernmental Group of Experts on Lessons Learned from United Nations Congresses on Crime Prevention and Criminal Justice, held in Bangkok from 15 to 18 August 2006,[1] which the Assembly endorsed in its resolution 62/173,

Recognizing the significant contributions of the United Nations congresses on crime prevention and criminal justice in promoting the exchange of experience in research, law and policy development and the identification of emerging trends and issues in crime prevention and criminal justice among States, intergovernmental organizations and individual experts representing various professions and disciplines,

Recalling that, in its resolution 62/173, it requested the Commission on Crime Prevention and Criminal Justice, at its seventeenth session, to finalize the

[1] E/CN.15/2007/6.

programme for the Twelfth Congress and to make its final recommendations on the theme and on the organization of round tables and workshops to be held by panels of experts, through the Economic and Social Council, to the General Assembly,

Recalling also that, in its resolution 62/173, it requested the Secretary-General to prepare a discussion guide for the regional preparatory meetings for the Twelfth Congress,

Recalling further its resolution 60/177 of 16 December 2005, in which it endorsed the Bangkok Declaration on Synergies and Responses: Strategic Alliances in Crime Prevention and Criminal Justice,[2] adopted by the Eleventh United Nations Congress on Crime Prevention and Criminal Justice, and Economic and Social Council resolution 2005/15 of 22 July 2005, in which the Council endorsed the Bangkok Declaration,

Stressing the importance of undertaking all preparatory activities for the Twelfth Congress in a timely and concerted manner,

Having considered the report of the Secretary-General on follow-up to the Eleventh United Nations Congress on Crime Prevention and Criminal Justice and preparations for the Twelfth United Nations Congress on Crime Prevention and Criminal Justice,[3]

1. *Notes* the progress made thus far in the preparations for the Twelfth United Nations Congress on Crime Prevention and Criminal Justice;

2. *Decides* to hold the Twelfth Congress in Salvador, Brazil, from 12 to 19 April 2010, with pre-Congress consultations to be held on 11 April 2010;

3. *Also decides* that the high-level segment of the Twelfth Congress shall be held during the last two days of the Congress in order to allow Heads of State or Government and Government ministers to focus on the main substantive agenda items of the Congress;

4. *Further decides* that the main theme of the Twelfth Congress shall be "Comprehensive strategies for global challenges: crime prevention and criminal justice systems and their development in a changing world";

5. *Approves* the following provisional agenda for the Twelfth Congress, finalized by the Commission on Crime Prevention and Criminal Justice at its seventeenth session:

1. Opening of the Congress.
2. Organizational matters.
3. Children, youth and crime.
4. Provision of technical assistance to facilitate the ratification and implementation of the international instruments related to the prevention and suppression of terrorism.
5. Making the United Nations guidelines on crime prevention work.

[2] General Assembly resolution 60/177, annex.
[3] E/CN.15/2008/14.

6. Criminal justice responses to the smuggling of migrants and trafficking in persons: links to transnational organized crime.

7. International cooperation to address money-laundering based on existing and relevant United Nations and other instruments.

8. Recent developments in the use of science and technology by offenders and by competent authorities in fighting crime, including the case of cybercrime.

9. Strengthening international cooperation in fighting crime-related problems: practical approaches.

10. Crime prevention and criminal justice responses to violence against migrants, migrant workers and their families.

11. Adoption of the report of the Congress;

6. *Decides* that the following issues shall be considered in workshops within the framework of the Twelfth Congress:

(a) International criminal justice education for the rule of law;

(b) Survey of United Nations and other best practices in the treatment of prisoners in the criminal justice system;

(c) Practical approaches to preventing urban crime;

(d) Links between drug trafficking and other forms of organized crime: international coordinated response;

(e) Strategies and best practices against overcrowding in correctional facilities;

7. *Requests* the Secretary-General, in cooperation with the institutes of the United Nations Crime Prevention and Criminal Justice Programme network, to prepare a discussion guide for the regional preparatory meetings for the Twelfth United Nations Congress on Crime Prevention and Criminal Justice in a timely manner in order to enable the regional preparatory meetings to commence early in 2009, and invites Member States to be actively involved in that process;

8. *Urges* participants in the regional preparatory meetings to examine the substantive items on the agenda and the topics of the workshops of the Twelfth Congress and to make action-oriented recommendations to serve as a basis for the draft recommendations and conclusions for consideration by the Twelfth Congress and the Commission on Crime Prevention and Criminal Justice at its nineteenth session;

9. *Emphasizes* the importance of the workshops to be held within the framework of the Twelfth Congress, and invites Member States, intergovernmental and non-governmental organizations and other relevant entities to provide financial, organizational and technical support to the United Nations Office on Drugs and Crime and the institutes of the United Nations Crime Prevention and Criminal Justice Programme network for the preparations for the workshops, including the preparation and circulation of relevant background material;

10. *Invites* donor countries to cooperate with developing countries to ensure their full participation, in particular in the workshops;

11. *Requests* the Secretary-General to prepare a plan for the documentation for the Twelfth Congress, in consultation with the extended Bureau of the Commission;

12. *Reiterates* its request to the Secretary-General to facilitate the organization of regional preparatory meetings for the Twelfth Congress and to make available the necessary resources for the participation of the least developed countries in those meetings and in the Congress itself, in accordance with past practice;

13. *Encourages* Governments to undertake preparations for the Twelfth Congress at an early stage by all appropriate means, including, where appropriate, the establishment of national preparatory committees, with a view to contributing to focused and productive discussion on the topics to be discussed in the workshops and to participating actively in the organization of and follow-up to the workshops;

14. *Reiterates its invitation* to Member States to be represented at the Twelfth Congress at the highest possible level, for example, by Heads of State or Government or Government ministers and attorneys general, to make statements on the theme and topics of the Congress and to participate in thematic interactive round tables;

15. *Requests* the Secretary-General to facilitate the organization of ancillary meetings of non-governmental and professional organizations participating in the Twelfth Congress, in accordance with past practice, as well as meetings of professional and geographical interest groups, and to take appropriate measures to encourage the participation of the academic and research community in the Congress;

16. *Again encourages* the relevant specialized agencies, United Nations programmes and intergovernmental and non-governmental organizations, as well as other professional organizations, to cooperate with the United Nations Office on Drugs and Crime in the preparations for the Twelfth Congress;

17. *Requests* the Secretary-General to appoint a Secretary-General and an Executive Secretary of the Twelfth Congress, in accordance with past practice, to perform their functions under the rules of procedure for United Nations congresses on crime prevention and criminal justice;

18. *Requests* the Commission on Crime Prevention and Criminal Justice to accord sufficient time at its eighteenth session to reviewing the progress made in the preparations for the Twelfth Congress, to finalize in good time all the necessary organizational and substantive arrangements and to make its recommendations through the Economic and Social Council to the General Assembly;

19. *Requests* the Secretary-General to ensure the proper follow-up to the present resolution and to report thereon to the General Assembly through the Commission on Crime Prevention and Criminal Justice at its eighteenth session.

B. Draft resolutions for adoption by the Economic and Social Council

2. The Commission on Crime Prevention and Criminal Justice recommends to the Economic and Social Council the adoption of the following draft resolutions:

Draft resolution I

Protection against trafficking in cultural property

The Economic and Social Council,

Recalling General Assembly resolution 56/8 of 21 November 2001, in which the Assembly proclaimed 2002 the United Nations Year for Cultural Heritage, and resolutions 58/17 of 3 December 2003 and 61/52 of 4 December 2006, on the return or restitution of cultural property to the countries of origin,

Recalling also the model treaty for the prevention of crimes that infringe on the cultural heritage of peoples in the form of movable property,[4] which was adopted by the Eighth United Nations Congress on the Prevention of Crime and the Treatment of Offenders and welcomed by the General Assembly in its resolution 45/121 of 14 December 1990,

Emphasizing the importance for States of protecting and preserving their cultural heritage in accordance with relevant international instruments such as the Convention on the Means of Prohibiting and Preventing the Illicit Import, Export and Transfer of Ownership of Cultural Property,[5] adopted by the United Nations Educational, Scientific and Cultural Organization on 14 November 1970, the Convention on Stolen or Illegally Exported Cultural Objects, adopted at Rome on 24 June 1995 by the International Institute for the Unification of Private Law, and the Convention for the Protection of Cultural Property in the Event of Armed Conflict,[6] adopted at The Hague on 14 May 1954, and the two Protocols thereto of 14 May 1954 and 26 March 1999,

Reiterating the significance of cultural property as part of the common heritage of humankind and as unique and important testimony of the culture and identity of peoples and the necessity of protecting it,

Reaffirming also the necessity of international cooperation in preventing and combating all aspects of trafficking in cultural property,[7] and noting that such cultural property is especially transferred through licit markets, such as auctions, including through the Internet,

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[4] *Eighth United Nations Congress on the Prevention of Crime and the Treatment of Offenders, Havana, 27 August-7 September 1990: report prepared by the Secretariat* (United Nations publication, Sales No. E.91.IV.2), chap. I, sect. B.1.

[5] United Nations, *Treaty Series*, vol. 823, No. 11806.

[6] United Nations, *Treaty Series*, vol. 249, No. 3511.

[7] It is understood that the expression "trafficking in cultural property" shall be interpreted in conformity with the relevant international instruments, including the Convention on the Means of Prohibiting and Preventing the Illicit Import, Export and Transfer of Ownership of Cultural Property.

Reaffirming further its resolutions 2004/34 of 21 July 2004, entitled "Protection against trafficking in cultural property", and 2003/29 of 22 July 2003, entitled "Prevention of crimes that infringe on the cultural heritage of peoples in the form of movable property",

Recalling the deliberations of the Eleventh United Nations Congress on Crime Prevention and Criminal Justice, and the Bangkok Declaration on Synergies and Responses: Strategic Alliances in Crime Prevention and Criminal Justice,[8] in which the Congress took note of the increased involvement of organized criminal groups in the theft of and trafficking in cultural property and reaffirmed the fundamental importance of implementation of existing instruments and the further development of national measures and international cooperation in criminal matters, calling upon Member States to take effective action to that end,

Expressing concern about the demand for cultural property, which leads to its loss, destruction, removal, theft and trafficking,

Alarmed at the growing involvement of organized criminal groups in all aspects of trafficking in cultural property,

Expressing regret that the United Nations Office on Drugs and Crime could not convene the expert group meeting envisaged in Economic and Social Council resolution 2004/34, mainly because of the lack of extrabudgetary resources,

Stressing the importance of fostering international law enforcement cooperation to combat trafficking in cultural property and, in particular, the need to increase the exchange of information and experiences in order for competent authorities to operate in a more effective manner,

Stressing also that the entry into force of the United Nations Convention against Transnational Organized Crime[9] has created a new impetus in international cooperation to counter and curb transnational organized crime, which will in turn lead to innovative and broader approaches to dealing with the various manifestations of such crime, including trafficking in cultural property,

Expressing the need, where appropriate, to strengthen and fully implement mechanisms for the return or restitution of cultural property after it has been stolen or trafficked and for its protection and preservation,

1. *Takes note with appreciation* of the report of the Secretary-General on protection against trafficking in cultural property; [10]

2. *Welcomes* national, regional and international initiatives for the protection of cultural property, in particular the work of the United Nations Educational, Scientific and Cultural Organization and its Intergovernmental Committee for Promoting the Return of Cultural Property to Its Countries of Origin or Its Restitution in Case of Illicit Appropriation;

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[8] *Eleventh United Nations Congress on Crime Prevention and Criminal Justice, Bangkok, 18-25 April 2005: report prepared by the Secretariat* (United Nations publication, Sales No. E.05.IV.7), chap. I, resolution 1.

[9] United Nations, *Treaty Series*, vol. 2225, No. 39574.

[10] E/CN.15/2006/14.

3. *Reiterates* its request that the United Nations Office on Drugs and Crime, in close cooperation with the United Nations Educational, Scientific and Cultural Organization, convene an open-ended intergovernmental expert group meeting, with interpretation in all the official languages of the United Nations, to submit to the Commission on Crime Prevention and Criminal Justice at its eighteenth session relevant recommendations on protection against trafficking in cultural property, including ways of making more effective the model treaty for the prevention of crimes that infringe on the cultural heritage of peoples in the form of movable property,[11] and invites Member States and other donors to provide extrabudgetary contributions for those purposes in accordance with the rules and procedures of the United Nations;

4. *Encourages* Member States asserting State ownership of cultural property to consider means of issuing statements of such ownership with a view to facilitating the enforcement of property claims in other States;

5. *Urges* Member States and relevant institutions, as appropriate, to strengthen and fully implement mechanisms to strengthen international cooperation, including mutual legal assistance, in order to combat trafficking in cultural property, including trafficking committed through the use of the Internet, and to facilitate the recovery, return or restitution of cultural property;

6. *Urges* Member States to protect cultural property and prevent trafficking in such property by introducing appropriate legislation, including, in particular, procedures for the seizure, return or restitution of cultural property, promoting education, launching awareness-raising campaigns, mapping and carrying out inventories of cultural property, providing adequate security measures, developing the capacities and human resources of monitoring institutions such as the police, customs services and the tourism sector, involving the media and disseminating information on the theft and pillaging of cultural property;

7. *Also urges* Member States to take effective measures to prevent the transfer of illicitly acquired or obtained cultural property, especially through auctions, including through the Internet, and to effect its return or restitution to its rightful owners;

8. *Further urges* Member States to continue to strengthen international cooperation and mutual assistance for the prevention and prosecution of crime against cultural property that forms part of the cultural heritage of peoples, and to ratify and implement the Convention on the Means of Prohibiting and Preventing the Illicit Import, Export and Transfer of Ownership of Cultural Property[12] and other relevant international instruments;

9. *Requests* the United Nations Office on Drugs and Crime to develop its relations with the cooperative network established among the United Nations Educational, Scientific and Cultural Organization, the International Council of Museums, the International Criminal Police Organization (INTERPOL), the International Institute for the Unification of Private Law and the World Customs

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[11] *Eighth United Nations Congress on the Prevention of Crime and the Treatment of Offenders, Havana, 27 August-7 September 1990: report prepared by the Secretariat* (United Nations publication, Sales No. E.91.IV.2), chap. I, sect. B.1.

[12] United Nations, *Treaty Series*, vol. 823, No. 11806.

Organization in the areas of trafficking in cultural property and its return or restitution;

10. *Requests* the Secretary-General to report to the Commission on Crime Prevention and Criminal Justice at its nineteenth session on the implementation of the present resolution.

Draft resolution II

Strengthening prevention of urban crime: an integrated approach

The Economic and Social Council,

Recalling General Assembly resolution 62/175 of 18 December 2007 on strengthening the United Nations Crime Prevention and Criminal Justice Programme, in particular its technical cooperation capacity, in which the Assembly reaffirmed the importance of the United Nations Crime Prevention and Criminal Justice Programme in promoting effective action to strengthen international cooperation in crime prevention and criminal justice, as well as of the work of the United Nations Office on Drugs and Crime in the fulfilment of its mandate in crime prevention and criminal justice, including providing to Member States, upon request and as a matter of high priority, technical cooperation, advisory services and other forms of assistance, and coordinating with and complementing the work of all relevant and competent United Nations bodies and offices, and recalling that, in its resolution, the Assembly drew attention to urban crime as an emerging policy issue,

Recalling also its resolution 2007/12 of 25 July 2007 on the strategy for the period 2008-2011 for the United Nations Office on Drugs and Crime, in which community-centred crime prevention was designated a result area,

Mindful of its resolution 1995/9 of 24 July 1995, in which it adopted guidelines for cooperation and technical assistance in the field of urban crime prevention, and its resolution 2002/13 of 24 July 2002, in which it accepted the Guidelines for the Prevention of Crime contained in the annex to that resolution,

Recalling its resolutions 2005/22 of 22 July 2005 on action to promote effective crime prevention and 2006/20 of 27 July 2006 on United Nations standards and norms in crime prevention, in which it acknowledged the need to achieve a balanced approach between crime prevention and criminal justice responses,

Considering that the fight against crime can effectively reach its objectives through a combination of national policies on criminal justice and crime prevention to address the causes of crime and violence, bearing in mind that allocating resources to crime prevention can greatly reduce the financial and social costs of crime,

Recognizing the importance of the engagement between civil society and law enforcement authorities in the planning and implementation of crime prevention activities,

Recalling the commitments made by the international community in the United Nations Millennium Declaration,[13] in particular regarding the fight against crime and the objective of making the right to development a reality for everyone,

1. *Encourages* Member States to adopt and strengthen, as appropriate, effective urban crime prevention responses, with a view to achieving an appropriate balance with criminal justice actions;

2. *Also encourages* Member States to integrate crime prevention considerations into all relevant social and economic policies and programmes in order to effectively address the conditions in which crime and violence can emerge;

3. *Requests* the United Nations Office on Drugs and Crime to explicitly address the crime prevention component in its programme of work and reporting, where relevant, including good practices that integrate crime prevention and criminal justice;

4. *Invites* Member States and other donors to provide extrabudgetary contributions to the United Nations Office on Drugs and Crime to support technical assistance activities in this area, in accordance with the rules and procedures of the United Nations.

Draft resolution III

International cooperation in preventing and combating illicit international trafficking in forest products, including timber, wildlife and other forest biological resources

The Economic and Social Council,

Recalling its resolutions 2001/12 of 24 July 2001 and 2003/27 of 22 July 2003, on illicit trafficking in protected species of wild flora and fauna, and its resolutions 2000/35 of 18 October 2000 and 2006/49 of 28 July 2006, concerning the international arrangements on forests,

Bearing in mind the relevance of international instruments such as the Convention on Biological Diversity[14] and the Convention on International Trade in Endangered Species of Wild Flora and Fauna,[15]

Recalling also General Assembly resolution 62/98 of 17 December 2007, by which the Assembly adopted the non-legally binding instrument on all types of forests, contained in the annex to that resolution,

Recalling further resolution 16/1 of the Commission on Crime Prevention and Criminal Justice, adopted at its sixteenth session,

Noting with concern that illicit international trafficking in forest products, including timber, wildlife and other forest biological resources, constitutes a major source of concern because such activities have an adverse environmental, social and economic impact on many countries,

[13] General Assembly resolution 55/2.
[14] United Nations, *Treaty Series*, vol. 1760, No. 30619.
[15] Ibid., vol. 993, No. 14537.

1. *Takes note with appreciation* of the report of the meeting of the Open-ended Expert Group on International Cooperation in Preventing and Combating Illicit International Trafficking in Forest Products, including Timber, Wildlife and Other Forest Biological Resources, held in Jakarta from 26 to 28 March 2008;[16]

2. *Encourages* Member States to continue to provide the United Nations Office on Drugs and Crime with information on measures taken pursuant to resolution 16/1 of the Commission on Crime Prevention and Criminal Justice, taking into consideration the emphasis that the Open-ended Expert Group, in its report, placed on, inter alia, the need for holistic and comprehensive national multisectoral approaches to preventing and combating illicit international trafficking in forest products, including timber, wildlife and other forest biological resources, as well as for international coordination and cooperation in support of such approaches, including through technical assistance activities to build the capacity of relevant national officials and institutions;

3. *Requests* the Executive Director of the United Nations Office on Drugs and Crime to make available the text of the present resolution and the report of the Open-ended Expert Group to the Conference of the Parties to the United Nations Convention against Transnational Organized Crime at its fourth session;

4. *Also requests* the Executive Director of the United Nations Office on Drugs and Crime to report on the implementation of the present resolution and to provide a brief summary of the mandates and the work of other relevant organizations in this area to the Commission on Crime Prevention and Criminal Justice at its eighteenth session.

C. Draft decisions for adoption by the Economic and Social Council

3. The Commission on Crime Prevention and Criminal Justice recommends to the Economic and Social Council the adoption of the following draft decisions:

Draft decision I

Report of the Commission on Crime Prevention and Criminal Justice on its seventeenth session and provisional agenda and documentation for its eighteenth session

The Economic and Social Council:

(a) Takes note of the report of the Commission on Crime Prevention and Criminal Justice on its seventeenth session;

(b) Decides that the topics for the thematic discussion at the eighteenth session of the Commission will be:

(i) "Economic fraud and identity-related crime";

[16] E/CN.15/2008/20.

(ii) "Penal reform and the reduction of prison overcrowding, including the provision of legal aid in criminal justice systems";

(c) Decides also that the discussion on each of the themes will have a duration of one day;

(d) Approves the provisional agenda and documentation for the eighteenth session set out below.

Provisional agenda and documentation for the eighteenth session of the Commission on Crime Prevention and Criminal Justice

A. Provisional agenda

1. Election of officers.
2. Adoption of the agenda and organization of work.
3. Thematic discussion:
   (a) "Economic fraud and identity-related crime";
   (b) "Penal reform and the reduction of prison overcrowding, including the provision of legal aid in criminal justice systems".
4. World crime trends and responses: integration and coordination of efforts by the United Nations Office on Drugs and Crime and by Member States in the field of crime prevention and criminal justice:
   (a) Work of the United Nations Office on Drugs and Crime in facilitating the ratification and implementation of the United Nations Convention against Transnational Organized Crime;
   (b) Work of the United Nations Office on Drugs and Crime in facilitating the ratification and implementation of the United Nations Convention against Corruption;
   (c) Work of the United Nations Office on Drugs and Crime in facilitating the ratification and implementation of the international instruments to prevent and combat terrorism;
   (d) Other activities in support of the work of the United Nations Office on Drugs and Crime, in particular activities of the United Nations Crime Prevention and Criminal Justice Programme network, non-governmental organizations and other bodies.
5. Preparations for the Twelfth United Nations Congress on Crime Prevention and Criminal Justice.
6. Use and application of United Nations standards and norms in crime prevention and criminal justice.
7. Policy directives for the crime programme of the United Nations Office on Drugs and Crime and the role of the Commission on Crime Prevention and Criminal Justice as its governing body, including administrative, strategic management and budgetary questions and follow-up to resolutions.
8. Provisional agenda for the nineteenth session.

9. Other business.

10. Adoption of the report of the Commission on its eighteenth session.

B. Documentation

1. Election of officers.

2. Adoption of the agenda and organization of work.

Documentation

Provisional agenda, annotations and proposed organization of work.

3. Thematic discussion:

(a) "Economic fraud and identity-related crime";

(b) "Penal reform and reduction of prison overcrowding, including the provision of legal aid in criminal justice systems".

Documentation

Note by the Secretariat (*as required*)

4. World crime trends and responses: integration and coordination of efforts by the United Nations Office on Drugs and Crime and by Member States in the field of crime prevention and criminal justice.

Documentation

Report of the Secretary-General on international cooperation in combating transnational organized crime and corruption

Report of the Secretary-General on assistance in implementing the universal conventions and protocols related to terrorism

Report of the Secretary-General on international cooperation in the prevention, investigation, prosecution and punishment of economic fraud and identity-related crime

Report of the Executive Director on the activities of the United Nations Office on Drugs and Crime

Report of the Executive Director on international cooperation in preventing and combating illicit international trafficking in forest products, including timber, wildlife and other forest biological resources

Report of the Secretary-General on the activities of the institutes of the United Nations Crime Prevention and Criminal Justice Programme network

Note by the Secretariat on world crime trends and responses: integration and coordination of efforts by the United Nations Office on Drugs and Crime and by Member States in the field of crime prevention and criminal justice (*as required*)

5. Preparations for the Twelfth United Nations Congress on Crime Prevention and Criminal Justice.

Documentation

Report of the Secretary-General on the follow-up to General Assembly resolution 63/[...], entitled "Preparations for the Twelfth United Nations Congress on Crime Prevention and Criminal Justice"

6. Use and application of United Nations standards and norms in crime prevention and criminal justice.

Documentation

Report of the Secretary-General on United Nations standards and norms in crime prevention and criminal justice

Report of the Secretary-General on support of national efforts for child justice reform, in particular through technical assistance and improved United Nations system-wide coordination

Report of the Secretary-General on international cooperation for the improvement of access to legal aid in criminal justice systems, particularly in Africa

7. Policy directives for the crime programme of the United Nations Office on Drugs and Crime and the role of the Commission on Crime Prevention and Criminal Justice as its governing body, including administrative, strategic management and budgetary questions and follow-up to resolutions.

Documentation

Report of the Executive Director on the implementation of the consolidated budget for the biennium 2008-2009 for the United Nations Office on Drugs and Crime

Report of the Executive Director on the consolidated budget for the biennium 2010-2011 for the United Nations Office on Drugs and Crime (*to be submitted for the reconvened eighteenth session*)

Report of the Executive Director on programmes and initiatives to be implemented by the United Nations Office on Drugs and Crime in the biennium 2010-2011 (*as required*)

Report of the Executive Director on ways and means of improving the financial situation of the United Nations Office on Drugs and Crime (*as required*)

Report of the Advisory Committee on Administrative and Budgetary Questions on the consolidated budget for the biennium 2010-2011 for the United Nations Office on Drugs and Crime (*to be submitted for the reconvened eighteenth session*)

Note by the Secretary-General transmitting the report of the Board of Trustees of the United Nations Interregional Crime and Justice Research Institute

8. Provisional agenda for the nineteenth session.

9. Other business.

10 Adoption of the report of the Commission on its eighteenth session.

Draft decision II

Appointment of members of the Board of Trustees of the United Nations Interregional Crime and Justice Research Institute

The Economic and Social Council decides to endorse the reappointment of Pedro R. David (Argentina) and the appointment of Eduardo Fungairiño (Spain) by the Commission on Crime Prevention and Criminal Justice at its seventeenth session, and to the Board of Trustees of the United Nations Interregional Crime and Justice Research Institute.

D. Matters brought to the attention of the Economic and Social Council

4. The following resolutions and decisions adopted by the Commission are brought to the attention of the Economic and Social Council:

Resolution 17/1

Efforts in the fight against trafficking in persons

The Commission on Crime Prevention and Criminal Justice,

Recalling the United Nations Convention against Transnational Organized Crime[17] and, in particular, the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime,[18] and other relevant instruments,

Recalling also General Assembly resolution 61/180 of 20 December 2006, on improving the coordination of efforts against trafficking in persons, and Economic and Social Council resolution 2006/27 of 27 July 2006, on strengthening international cooperation in preventing and combating trafficking in persons and protecting victims of such trafficking,

Recalling further its decisions 16/1 and 16/2, concerning the Global Initiative to Fight Human Trafficking,

Underlining the need to continue to work towards a comprehensive and coordinated approach to the problem of trafficking in persons through the appropriate national, regional and international mechanisms,

1. *Welcomes* the Vienna Forum to Fight Human Trafficking, held from 13 to 15 February 2008, as a part of the awareness-raising efforts to fight human trafficking;

2. *Requests* the United Nations Office on Drugs and Crime to continue consultations with Member States and to ensure that the Global Initiative to Fight Human Trafficking is carried out as a technical assistance project within the

[17] United Nations, *Treaty Series*, vol. 2225, No. 39574.
[18] Ibid., vol. 2237, No. 39574.

mandates agreed by the relevant governing bodies and to brief Member States on the workplan of the Global Initiative, to be executed before the end of the project, in 2009;

3. *Also requests* the United Nations Office on Drugs and Crime, within its existing mandate, to use the Conference of the Parties to the United Nations Convention against Transnational Organized Crime and, when appropriate and justified, other relevant intergovernmental mechanisms to continue to raise public awareness, increase knowledge, facilitate cooperation and partnerships and implement actions to combat human trafficking;

4. *Urges* Member States that have not yet done so to consider taking measures to ratify or accede to the United Nations Convention against Transnational Organized Crime[19] and, in particular, the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime;[20]

5. *Encourages* Member States to continue to strengthen their national policies and their cooperation with the United Nations system to combat human trafficking;

6. *Invites* Member States to take measures, such as raising public awareness, to discourage the demand that fosters all forms of exploitation, in accordance with the Trafficking in Persons Protocol, where applicable;

7. *Requests* the United Nations Office on Drugs and Crime, in its capacity as coordinator of the Inter-Agency Cooperation Group against Trafficking in Persons, to report on its activities to the Commission at its eighteenth session;

8. *Invites* Member States to consider the possibility of providing voluntary contributions to the United Nations Office on Drugs and Crime, in accordance with the rules and regulations of the United Nations, for the conduct of technical assistance activities to ensure the effective implementation of the Organized Crime Convention and the Trafficking in Persons Protocol;

9. *Also invites* Member States to actively participate in the thematic debate of the General Assembly on human trafficking, to be held in June 2008.

Resolution 17/2

Strengthening the rule of law through improved integrity and capacity of prosecution services

The Commission on Crime Prevention and Criminal Justice,

Recalling the Charter of the United Nations, the Universal Declaration of Human Rights[21] and the International Covenant on Civil and Political Rights,[22] which enshrine, in particular, the principles of equality before the law, the

[19] Ibid., vol. 2225, No. 39574.
[20] Ibid., vol. 2237, No. 39574.
[21] General Assembly resolution 217 A (III).
[22] General Assembly resolution 2200 A (XXI), annex.

presumption of innocence and the right to a fair and public hearing by a competent, independent and impartial tribunal established by law,

Recalling also the International Covenant on Economic, Social and Cultural Rights,[23]

Recalling further the United Nations Convention against Corruption,[24] in particular its article 11, on measures relating to the judiciary and prosecution services,

Convinced that corruption of members of prosecution services undermines the rule of law and adversely affects public confidence in the justice system and that the integrity, independence and impartiality of prosecutors are essential prerequisites for the effective protection of human rights and economic development,

Recalling the Guidelines on the Role of Prosecutors,[25] adopted by the Eighth United Nations Congress on the Prevention of Crime and the Treatment of Offenders, held in Havana from 27 August to 7 September 1990,

Recalling also Economic and Social Council resolution 2007/22 of 26 July 2007, on strengthening basic principles of judicial conduct, in which the Council requested the United Nations Office on Drugs and Crime, inter alia, to explore the development of technical cooperation projects and activities aimed at strengthening the integrity and capacity of other criminal justice institutions, in particular prosecution services and the police, in cooperation with the initiatives of States and relevant international organizations,

Welcoming the report of the Secretary-General on strengthening justice, integrity and the rule of law through technical assistance in developing, transitional and post-conflict societies, with a focus on Africa,[26] and the progress made by the United Nations Office on Drugs and Crime in implementing Economic and Social Council resolution 2007/22, as described in that report,

Acknowledging the important work carried out by international and regional forums, including the International Association of Prosecutors, in the development and dissemination of standards and measures to strengthen the conduct of prosecution services,

Convinced that the Standards of Professional Responsibility and Statement of the Essential Duties and Rights of Prosecutors, developed by the International Association of Prosecutors, are complementary to the Guidelines on the Role of Prosecutors,

1. *Requests* the United Nations Office on Drugs and Crime to circulate the Standards of Professional Responsibility and Statement of the Essential Duties and Rights of Prosecutors, annexed to the present resolution, to Member States for their consideration and comments;

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[23] General Assembly resolution 2200 A (XXI), annex.

[24] United Nations, *Treaty Series*, vol. 2349, No. 42146.

[25] *Eighth United Nations Congress on the Prevention of Crime and the Treatment of Offenders, Havana, 27 August-7 September 1990: report prepared by the Secretariat* (United Nations publication, Sales No. E.91.IV.2), chap. I, sect. C.26, annex.

[26] E/CN.15/2008/12.

2. *Also requests* the United Nations Office on Drugs and Crime to prepare, by the third quarter of 2008, a structured, verbatim compilation of the comments received from Member States, as an addendum to the Standards of Professional Responsibility and Statement of the Essential Duties and Rights of Prosecutors;

3. *Invites* Member States, consistent with their domestic legal systems, to encourage their prosecution services to take into consideration the Standards of Professional Responsibility and Statement of the Essential Duties and Rights of Prosecutors and the above-mentioned addendum when reviewing or developing rules with respect to the professional and ethical conduct of members of prosecution services;

4. *Requests* the United Nations Office on Drugs and Crime to continue to provide, upon request by Member States, technical assistance, including, as appropriate, material and tools, such as the Standards of Professional Responsibility and Statement of the Essential Duties and Rights of Prosecutors and the above-mentioned addendum, to allow such Member States to strengthen the integrity and capacity of their prosecution services;

5. *Invites* Member States and other donors to provide extrabudgetary contributions for the above-mentioned purposes, in accordance with the rules and procedures of the United Nations;

6. *Requests* the Secretary-General to report to the Commission on Crime Prevention and Criminal Justice at its twentieth session on the implementation of the present resolution.

Annex*

Standards of Professional Responsibility and Statement of the Essential Duties and Rights of Prosecutors

WHEREAS the objects of the International Association of Prosecutors are set out in Article 2.3 of its Constitution and include the promotion of fair, effective, impartial and efficient prosecution of criminal offences, and the promotion of high standards and principles in the administration of criminal justice;

WHEREAS the United Nations, at its Eighth Congress on the Prevention of Crime and the Treatment of Offenders in Havana, Cuba in 1990, adopted Guidelines on the Role of Prosecutors;

WHEREAS the community of nations has declared the rights and freedoms of all persons in the United Nations Universal Declaration of Human Rights and subsequent international covenants, conventions and other instruments;

WHEREAS the public need to have confidence in the integrity of the criminal justice system;

WHEREAS all prosecutors play a crucial role in the administration of criminal justice;

WHEREAS the degree of involvement, if any, of prosecutors at the investigative stage varies from one jurisdiction to another;

* The present annex is reproduced in the form in which it was received.

WHEREAS the exercise of prosecutorial discretion is a grave and serious responsibility;

AND WHEREAS such exercise should be as open as possible, consistent with personal rights, sensitive to the need not to re-victimise victims and should be conducted in an objective and impartial manner;

THEREFORE the International Association of Prosecutors adopts the following as a statement of standards of professional conduct for all prosecutors and of their essential duties and rights:

1. PROFESSIONAL CONDUCT

Prosecutors shall:

a) at all times maintain the honour and dignity of their profession;

b) always conduct themselves professionally, in accordance with the law and the rules and ethics of their profession;

c) at all times exercise the highest standards of integrity and care;

d) keep themselves well-informed and abreast of relevant legal developments;

e) strive to be, and to be seen to be, consistent, independent and impartial;

f) always protect an accused person's right to a fair trial, and in particular ensure that evidence favourable to the accused is disclosed in accordance with the law or the requirements of a fair trial;

g) always serve and protect the public interest;

h) respect, protect and uphold the universal concept of human dignity and human rights.

2. INDEPENDENCE

2.1 The use of prosecutorial discretion, when permitted in a particular jurisdiction, should be exercised independently and be free from political interference.

2.2 If non-prosecutorial authorities have the right to give general or specific instructions to prosecutors, such instructions should be:

transparent;

consistent with lawful authority;

subject to established guidelines to safeguard the actuality and the perception of prosecutorial independence.

2.3 Any right of non-prosecutorial authorities to direct the institution of proceedings or to stop legally instituted proceedings should be exercised in similar fashion.

3. IMPARTIALITY

Prosecutors shall perform their duties without fear, favour or prejudice. In particular they shall:

a) carry out their functions impartially;

b) remain unaffected by individual or sectional interests and public or media pressures and shall have regard only to the public interest;

c) act with objectivity;

d) have regard to all relevant circumstances, irrespective of whether they are to the advantage or disadvantage of the suspect;

e) in accordance with local law or the requirements of a fair trial, seek to ensure that all necessary and reasonable enquiries are made and the result disclosed, whether that points towards the guilt or the innocence of the suspect;

f) always search for the truth and assist the court to arrive at the truth and to do justice between the community, the victim and the accused according to law and the dictates of fairness.

4. ROLE IN CRIMINAL PROCEEDINGS

4.1 Prosecutors shall perform their duties fairly, consistently and expeditiously.

4.2 Prosecutors shall perform an active role in criminal proceedings as follows:

a) where authorised by law or practice to participate in the investigation of crime, or to exercise authority over the police or other investigators, they will do so objectively, impartially and professionally;

b) when supervising the investigation of crime, they should ensure that the investigating services respect legal precepts and fundamental human rights;

c) when giving advice, they will take care to remain impartial and objective;

d) in the institution of criminal proceedings, they will proceed only when a case is well-founded upon evidence reasonably believed to be reliable and admissible, and will not continue with a prosecution in the absence of such evidence;

e) throughout the course of the proceedings, the case will be firmly but fairly prosecuted; and not beyond what is indicated by the evidence;

f) when, under local law and practice, they exercise a supervisory function in relation to the implementation of court decisions or perform other non-prosecutorial functions, they will always act in the public interest.

4.3 Prosecutors shall, furthermore:

a) preserve professional confidentiality;

b) in accordance with local law and the requirements of a fair trial, consider the views, legitimate interests and possible concerns of victims and witnesses, when their personal interests are, or might be, affected, and seek to ensure that victims and witnesses are informed of their rights; and similarly seek to ensure that any aggrieved party is informed of the right of recourse to some higher authority/court, where that is possible;

c) safeguard the rights of the accused in co-operation with the court and other relevant agencies;

d) disclose to the accused relevant prejudicial and beneficial information as soon as reasonably possible, in accordance with the law or the requirements of a fair trial;

e) examine proposed evidence to ascertain if it has been lawfully or constitutionally obtained;

f) refuse to use evidence reasonably believed to have been obtained through recourse to unlawful methods which constitute a grave violation of the suspect's human rights and particularly methods which constitute torture or cruel treatment;

g) seek to ensure that appropriate action is taken against those responsible for using such methods;

h) in accordance with local law and the requirements of a fair trial, give due consideration to waiving prosecution, discontinuing proceedings conditionally or unconditionally or diverting criminal cases, and particularly those involving young defendants, from the formal justice system, with full respect for the rights of suspects and victims, where such action is appropriate.

5. CO-OPERATION

In order to ensure the fairness and effectiveness of prosecutions, prosecutors shall:

a) co-operate with the police, the courts, the legal profession, defence counsel, public defenders and other government agencies, whether nationally or internationally; and

b) render assistance to the prosecution services and colleagues of other jurisdictions, in accordance with the law and in a spirit of mutual co-operation.

6. EMPOWERMENT

In order to ensure that prosecutors are able to carry out their professional responsibilities independently and in accordance with these standards, prosecutors should be protected against arbitrary action by governments. In general they should be entitled:

a) to perform their professional functions without intimidation, hindrance, harassment, improper interference or unjustified exposure to civil, penal or other liability;

b) together with their families, to be physically protected by the authorities when their personal safety is threatened as a result of the proper discharge of their prosecutorial functions;

c) to reasonable conditions of service and adequate remuneration, commensurate with the crucial role performed by them and not to have their salaries or other benefits arbitrarily diminished;

d) to reasonable and regulated tenure, pension and age of retirement subject to conditions of employment or election in particular cases;

e) to recruitment and promotion based on objective factors, and in particular professional qualifications, ability, integrity, performance and experience, and decided upon in accordance with fair and impartial procedures;

f) to expeditious and fair hearings, based on law or legal regulations, where disciplinary steps are necessitated by complaints alleging action outside the range of proper professional standards;

g) to objective evaluation and decisions in disciplinary hearings;

h) to form and join professional associations or other organisations to represent their interests, to promote their professional training and to protect their status; and

i) to relief from compliance with an unlawful order or an order which is contrary to professional standards or ethics.

Decision 17/1

Strengthening crime prevention and criminal justice responses to violence against women and girls

At its 10th meeting, on 18 April 2008, the Commission on Crime Prevention and Criminal Justice, reaffirming the Declaration on the Elimination of Violence against Women[27] and the Beijing Declaration and Platform for Action[28] adopted by the Fourth World Conference on Women, held in Beijing from 4 to 15 September 1995, and in particular, the determination of Governments to prevent and eliminate all forms of violence against women and girls, reaffirming also the programme of action adopted at the International Conference on Population and Development, held in Cairo from 5 to 13 September 1994, as well as the outcome of the twenty-third special session of the General Assembly, entitled "Women 2000: gender, equality, development and peace for the twenty-first century",[29] and the declaration adopted at the forty-ninth session of the Commission on the Status of Women,[30] stressing that all forms of violence against women and girls constitute not only a violation of the human rights and fundamental freedoms of women but also have serious socio-economic consequences that hinder the achievement of gender equality and development, recognizing that effective and integrated criminal justice responses to all forms of violence against women and girls require close cooperation between all key stakeholders, including law enforcement officials, prosecutors, victim advocates, medical professionals and forensic scientists, and mindful that the Model Strategies and Practical Measures on the Elimination of Violence against

[27] General Assembly resolution 48/104.

[28] *Report of the Fourth World Conference on Women, Beijing, 4-15 September 1995* (United Nations publication, Sales No. E.96.IV.13), chap. I, resolution 1, annexes I and II.

[29] General Assembly resolution S-23/2, annex, and resolution S-23/3, annex.

[30] See *Official Records of the Economic and Social Council, 2005, Supplement No. 7* and corrigendum (E/2005/27 and Corr.1), chap. 1, sect. A; see also Economic and Social Council decision 2005/232.

Women in the Field of Crime Prevention and Criminal Justice (General Assembly resolution 52/86, annex) were developed ten years ago and should be reviewed by Member States, in a manner consistent with their legal systems, in order to reflect current developments and research, taking into account, inter alia, new approaches and prevention tools and good practices:

(a) Strongly condemned all acts of violence against women and girls, including violence against women migrants and women migrant workers, whether those acts are perpetrated by the State, by private persons or by non-State actors, and called for the elimination of all forms of gender-based violence in the family, within the general community and where perpetrated or condoned by the State;

(b) Stressed that violence against women means any act of gender-based violence that results in, or is likely to result in, physical, sexual or psychological harm or suffering to women, including the threat of such acts, coercion or arbitrary deprivation of liberty, whether occurring in public or private life;

(c) Requested the United Nations Office on Drugs and Crime to convene an intergovernmental group of experts with equitable geographical representation, in cooperation with the institutes of the United Nations Crime Prevention and Criminal Justice Programme network, the Commission on the Status of Women and the Special Rapporteur on violence against women, its causes and consequences, to review and update, as appropriate, the Model Strategies and Practical Measures on the Elimination of Violence against Women in the Field of Crime Prevention and Criminal Justice, taking into account current developments, research, tools and the outcome of the deliberations of the Commission on Crime Prevention and Criminal Justice at its seventeenth session, and to make recommendations on addressing violence against women and girls, to be considered by the Commission at its nineteenth session, and invited Member States and other donors to provide extrabudgetary contributions for those purposes in accordance with the rules and procedures of the United Nations;

(d) Welcomed the offer of the Government of Thailand to act as host to the meeting of the intergovernmental group of experts, to be held in 2008;

(e) Requested the Executive Director of the United Nations Office on Drugs and Crime to report to the Commission on Crime Prevention and Criminal Justice at its nineteenth session on the implementation of the present decision.

Decision 17/2

Improving the governance and financial situation of the United Nations Office on Drugs and Crime

At its 10th meeting, on 18 April 2008, the Commission on Crime Prevention and Criminal Justice, recalling the strategy for the period 2008-2011 for the United Nations Office on Drugs and Crime[31] and also recalling paragraphs 8, 9 and 10 of its resolution 16/6, entitled "Budget for the biennium 2008-2009 for the United Nations Crime Prevention and Criminal Justice Fund":

[31] Economic and Social Council resolution 2007/12, annex.

(a) Took note of the report of the Executive Director entitled "Financial issues and difficulties faced by the United Nations Office on Drugs and Crime in implementing its mandates and an initial assessment of the ways and means of improving the financial situation";[32]

(b) Also took note of the note by the Secretariat on resolutions and decisions relating to crime prevention and criminal justice adopted in the period 2003-2007 in which action by the United Nations Office on Drugs and Crime was requested;[33]

(c) Further took note of the report by the Executive Director on the deviations from the standard programme support charge of 13 per cent during the period 2005-2007;[34]

(d) Decided to establish an open-ended intergovernmental working group to discuss and prepare, taking into account, inter alia, the documents mentioned above, recommendations to be submitted to the Commission at its eighteenth session on how to ensure political ownership by the Member States and on how to improve the governance structure and financial situation of the United Nations Office on Drugs and Crime;

(e) Requested the United Nations Office on Drugs and Crime to provide the working group with the necessary assistance to carry out its work.

[32] E/CN.7/2008/11-E/CN.15/2008/15.
[33] E/CN.15/2008/18.
[34] E/CN.7/2008/14-E/CN.15/2008/19.

Chapter II

Thematic discussion on aspects of violence against women that pertain directly to the Commission on Crime Prevention and Criminal Justice

5. At its 3rd and 4th meetings, on 15 April, the Commission on Crime Prevention and Criminal Justice considered agenda item 3, entitled "Thematic discussion on aspects of violence against women that pertain directly to the Commission on Crime Prevention and Criminal Justice". The thematic discussion included the following topics: (a) successful practices to prevent violence against women; (b) criminal justice responses to violence against women, including against women migrant workers; and (c) effective strategies and practices to support victims of violence, including victims of sexual assault.

6. For its consideration of the item, the Commission had before it the following:

(a) Report of the Secretary-General on crime prevention and criminal justice responses to violence against women and girls (E/CN.15/2008/2);

(b) Aspects of violence against women that pertain directly to the Commission on Crime Prevention and Criminal Justice (E/CN.15/2008/CRP.1);

(c) Background paper by the United Nations Crime Prevention and Criminal Justice Programme network on the workshop on eliminating violence against women (E/CN.15/2008/CRP.3).

7. The thematic discussion was chaired by the Chairman of the Commission and led by two panellists: Holly Johnson (Canada) and Rodrigo Bustos (Chile). In addition, Olivier Belle, Chairman of the Commission on the Status of Women, addressed the Commission. The Executive Director of the United Nations Office on Drugs and Crime (UNODC) made a statement at the opening of the thematic discussion. A representative of the Secretariat also made a statement.

8. The Commission heard statements by the representatives of Argentina, Bolivia, Canada, Chile, China, Germany, Guatemala, Indonesia, Iran (Islamic Republic of), Namibia, Pakistan (on behalf of the States Members of the United Nations that are members of the Group of 77 and China), the Republic of Korea, the Russian Federation, Ukraine, the United Kingdom of Great Britain and Northern Ireland and the United States of America. Statements were also made by the observers for Afghanistan, Algeria, Australia, Belarus, Croatia, Cuba, the Dominican Republic, France, Greece, Kuwait, Mexico, Morocco, the Netherlands, Norway, the Philippines, Sweden, Thailand and Venezuela (Bolivarian Republic of). Statements were also made by the observers for Human Rights Watch, the Japan Federation of Bar Associations and the International Council of Women.

A. Deliberations

9. In his introductory remarks, the Executive Director of UNODC underlined the role and responsibility of the criminal justice system in preventing and responding to violence against women and referred to a number of ongoing and planned activities of UNODC and tools that had been developed to address the issue. He urged Member States to pay particular attention to the issue of violence against women in conflict and post-conflict situations and drew attention to the ongoing work of UNODC in the area of children in conflict with the law. He stressed that special considerations had to be taken into account when responding to violence against girls and violence against children in general. He welcomed the recently launched campaign of the Secretary-General entitled "Unite to end violence against women" as an awareness-raising tool that was vital to drawing international attention to the issue.

10. A representative of the Secretariat introduced the report of the Secretary-General on crime prevention and criminal justice responses to violence against women and girls (E/CN.15/2008/2), which provided an overview of the activities and programmes of UNODC in that area and of implementation by Member States of Economic and Social Council resolution 2006/29 of 27 July 2006. He also reported on additional information on implementation of that resolution received from Algeria, Canada, Kenya, Lebanon, the Maldives and Trinidad and Tobago in response to the note verbale of the Secretary-General dated 15 November 2007 sent pursuant to the resolution. He also referred to the workshop of the institutes of the United Nations Crime Prevention and Criminal Justice Programme network on the theme "Eliminating violence against women: forms, strategies and tools" and the recommendations of the workshop (see paragraphs 48-50 below).

11. The first panellist highlighted the importance of collecting data to inform policies and prevention efforts and thus enhance efforts to combat violence against women. She summarized the findings based on data collected in countries from various regions: up to 60 per cent of women had experienced physical abuse in an intimate relationship; up to 50 per cent of women reported having been sexually assaulted by an intimate partner; women were most likely to be murdered by an intimate partner; and certain groups of women, such as indigenous women, minorities and those of low socio-economic status, were more vulnerable than others to those types of abuse. The panellist noted that reliable data on violence against women were needed to raise public awareness, make violence visible, produce critical information for prevention, understand the problem more precisely and make sound policy decisions. Such data could also be used to develop and improve related services, legislation and training and to monitor both the efficacy of national strategies and compliance with international agreements. Further, the data could contribute to effective action to counter violence against women by leading to a more coordinated response from the criminal justice system and would assist in promoting economic and gender equality. Such data would be of use in monitoring and evaluating progress in all areas. Finally, the collection of accurate data on violence against women would help development partners to better target aid. The panellist highlighted areas where improvements were required. For example, there was a need to sensitize a wider audience, improve services and prevention efforts,

promote gender equality and monitor compliance by States with international agreements and overall progress.

12. The second panellist stressed the need to ensure that support was provided for victims and stressed the role of the judiciary and the related legal frameworks. He noted in particular the need for protective measures, prohibitions against bearing weapons and restrictions to prevent offenders from approaching the homes, shelters and workplaces of victims. Victims needed greater protection, more legal options, including legal assistance, and more equal social opportunities after they had reported violence. Framing his intervention in the context of intrafamily violence, the panellist drew attention to the issue of broader family support. He also noted that attention had to be paid to the issue of the punishment of the perpetrator.

13. The Chairman of the Commission on the Status of Women noted that much had already been achieved in terms of an international response to violence against women, including the drafting of many important international agreements and conventions. He stressed the importance of political will in eliminating violence against women and of changing attitudes towards women. He emphasized that political will and social responsibility were critical to achieving positive change. He also underlined the need to agree on common indicators and the fact that better and more precise data would contribute greatly to stopping violence against women. In the context of the broader criminal justice system, the Chairman suggested that Member States might wish to consider alternative forms of justice; ensure that specialized units established in criminal and prosecutorial systems were aware of the issues involved in violence against women; and review their legal frameworks. The Chairman stressed that it was important that United Nations agencies work together in an integrated and coordinated manner.

1. Successful practices to prevent violence against women

14. Several speakers underlined that violence against women was prevalent throughout the world and that there was a wide range of manifestations of such violence. It was noted that violence against women resulted in the gradual and total destruction of a woman's personal identity and violated her right to live as a free human being in a civilized society, with full respect for her human rights. Preventing violence against women was of the utmost importance.

15. Several speakers provided information on the prevention programmes in place in their countries. Speakers considered both short- and long-term strategies, including national strategies and action plans, and the ratification of international conventions relating to violence against women and gender equality to be instrumental in preventing violence against women. Speakers emphasized that national strategies had to be comprehensive and multidisciplinary and had to encompass legislative and judicial reform, care for victims, education, awareness-raising, communication, relevant infrastructure and services and the mobilization of financial resources in support of victims. Speakers noted that national women's councils and other similar bodies were active in coordinating and cooperating with the relevant national authorities. They also stressed that prevention efforts had to be effectively coordinated between the various governmental bodies and civil society organizations.

16. Speakers stressed that existing laws had to be reviewed in a timely fashion in order to keep pace with the continuous evolution of gender-based crimes. The crime of stalking in its various forms was cited as one of the new forms of violence against women. Attention was drawn to the importance of the criminalization of marital rape and other forms of intimate partner violence. Many speakers noted that the Model Strategies and Practical Measures on the Elimination of Violence against Women in the Field of Crime Prevention and Criminal Justice (General Assembly resolution 52/86, annex) needed to be evaluated and updated in order to respond more adequately to current developments.

17. Several speakers noted that the State had a crucial role to play with respect to the issue and that the authorities must ensure that their constitutional principles were adhered to, that national laws and international obligations were implemented and that the principles of socio-economic development and gender equality were given full expression. Some speakers pointed out that the lack of resources created a major obstacle to effectively preventing violence against women.

18. Speakers stressed that the empowerment of women was crucial to preventing violence against women and that it could be achieved through educational and economic opportunities. It was necessary to tackle the root causes making women vulnerable members of society, including poverty, economic dependence and gender inequality. Many speakers considered economic and social factors to be responsible for entrapping women in abusive relationships. It was noted also that unbalanced custody laws might prevent women victims of violence from reporting such incidents and from seeking shelter and assistance since they feared losing custody of their children more than they feared violence.

19. Some speakers drew attention to the importance of the media as an effective means of raising awareness of the issue and, in particular, the responsibility of the private sector with respect to advertising. They underlined the fact that advertising often depicted women in a degrading and undignified manner. In that context, the media had an obligation to show social responsibility in what it disseminated.

20. Many speakers viewed data collection and analysis and research as the important first step in developing prevention strategies. It was necessary to have accurate data on the prevalence of the various types of criminal violence against women, in part for monitoring and evaluating the impact of prevention efforts and the effectiveness of criminal justice systems in responding to violence against women. One speaker noted that in his country there had been successful attempts to harmonize the collection of data on gender-based violence and assemble information from various databases. It was suggested that Governments conduct regular surveys and evaluations on how the effective implementation of legislation would contribute to the ongoing enhancement of measures to combat violence against women.

21. Speakers raised the issue of improving national capacity to collect data in order to enhance prevention efforts. Speakers repeatedly affirmed the need to agree on internationally acceptable indicators to measure violence against women. In that context, the ongoing joint work of the Commission on the Status of Women and the Statistical Commission was noted, and the Secretariat was called on to ensure that indicators were developed in consultation with Member States.

22. Many speakers emphasized the need for political will and the need to change both political and public attitudes towards the issue of violence against women. In that respect, some speakers commented on the need to address the gender inequality that was embedded in widespread norms and attitudes.

2. Criminal justice responses to violence against women, including against women migrant workers

23. A number of speakers described the efforts of their countries to define and prohibit all forms of violence against women, including against women migrant workers, through national penal codes or specific laws on violence against women or on family matters.

24. Several speakers mentioned that efforts to enhance gender sensitivity in the criminal justice process were an important aspect of effective victim support services, while others pointed out that special consideration was needed for women victims of violence while in detention. Several speakers noted that their national or local police forces had made concerted efforts to recruit female police officers and place them in neighbourhood police units and special units comprising multidisciplinary teams responding to the needs of victims of violence. All-women police stations were also mentioned as an example of good practice.

25. Many speakers indicated the importance of creating centres for training law enforcement and criminal justice personnel in the effective prosecution of offenders and the protection of victims of violence against women. The need for ongoing training on human rights and gender issues was highlighted, including training with a particular focus on the special needs of women migrant workers. Prosecuting cases of violence against women had proved difficult for many States, in particular because of the difficulty of persuading women not to withdraw testimony. For that reason, many speakers emphasized the need for specialized law enforcement and criminal justice practitioners who could respond effectively to cases of violence against women.

26. Several speakers highlighted the usefulness of specialized criminal law procedures and the importance of gender sensitivity to prevent women victims from undergoing revictimization and further traumatization and to reduce harm and suffering among them. Special investigation rooms, the video recording of testimony and specialized courts were mentioned as examples of best practices. The need to take into account the special needs of children and to facilitate the provision of testimony by children in criminal cases was highlighted in the discussion.

27. Several speakers suggested that alcohol and substance abuse played a large role in many cases of domestic violence and that criminal justice systems could require offenders to take obligatory alcohol and substance abuse treatment courses. It was also noted that perpetrators, in particular habitual sex offenders, often suffered from psychological problems and thus needed specialized care. When violence was committed within the family, special care for the family as a whole was called for.

28. Alternative criminal justice mechanisms were discussed, such as the adoption of legislation affording the possibility of reconciliation between the affected parties and mediation between the victim and the offender before the start of criminal proceedings, but speakers emphasized that when designing or using such

mechanisms, the power structure that existed between the victim and the offender had to be taken into consideration, skilled and specially trained mediators who could handle such cases were required, and the availability of measures to protect victims had to be ensured.

29. One speaker emphasized that provisions should be put in place to ensure that migrant women, including women migrant workers, irrespective of their immigration status, could file complaints without fear of repatriation and that specialized programmes for migrant women, including women migrant workers, who had been victims of violence might be pertinent.

3. Effective strategies and practices to support victims of violence, including victims of sexual assault

30. Many speakers referred to the need for victims of violence, including victims of sexual assault, to be assisted and supported by crisis intervention, police protection, the provision of temporary shelter, counselling, legal aid, economic assistance and advocacy. Some speakers stated that "one-stop crisis centres" were particularly effective in providing integrated assistance. Several speakers mentioned telephone hotlines as a useful means of access to information for women and noted that such hotlines could facilitate the reporting of offences.

31. Many speakers voiced concern that certain groups of women, such as women belonging to minority groups, indigenous women, women refugees and women migrants, were particularly vulnerable to violence. Speakers highlighted the particular vulnerability of women in conflict and post-conflict situations and the need to address violence against women during conflicts, which often continued after the resolution of the conflict. One speaker highlighted not only the need for adequate criminal justice responses, but also the need to involve women in the peace process as a means of bringing such violence to an end.

32. A number of speakers noted the importance of establishing a structure of rights and due process for victims of violence against women that would prevent revictimization and provide anonymity, health care, psychological support and protection orders for victims and witnesses. Many speakers emphasized the multifaceted role of women's organizations in providing assistance and responding to the needs of victims. Many speakers argued that prosecution was more successful when women victims of violence were offered protection from abusers.

33. Some speakers mentioned new technology, such as global positioning systems, spy cameras and mobile violence alarms, that could enable the police to provide emergency assistance to victims. Electronic monitoring devices could be used to track those breaching restraining orders.

34. Speakers generally agreed that cooperation and the sharing of best practices in preventing and responding to gender-based violence were helpful and should take place on a regular basis. All speakers agreed that much remained to be done to achieve an effective response to violence against women.

35. It was suggested that UNODC should play a more active role in preventing and combating violence against women, in collaboration with other United Nations entities and Member States and that a gender perspective and the issue of the elimination of violence against women should be integrated into all UNODC

technical assistance activities. Several speakers suggested that the Commission on Crime Prevention and Criminal Justice could include on its agenda a standing item on violence against women, which could be taken up on a periodic basis. Several speakers called upon the international community to enhance its financial support to enable UNODC to continue providing effective technical assistance to Member States in that field.

36. At the end of the thematic discussion, the Chairman summarized the salient points as follows:

(a) *Research and data collection*. Better data and improved national capacity to collect data were needed to support and enhance criminal justice responses to violence against women. The need to agree on internationally acceptable indicators to measure violence against women had been emphasized repeatedly;

(b) *Access to justice*. The legal system must be at the service of victims and be sensitive to their needs if real progress was to be made on behalf of women victims of violence. Among the best practices mentioned was the establishment of specialized courts. Alternative justice mechanisms had also been discussed;

(c) *Effective police responses*. The importance of the police in preventing and responding to violence against women had been highlighted. Multidisciplinary training for the police had been repeatedly mentioned as a prerequisite for enabling them to respond effectively to violence against women and to coordinate with other service providers;

(d) *Special consideration for children*. Emphasis had been placed on giving special consideration to girls and to children in general in responses to violence against children;

(e) *Awareness-raising*. The significance of awareness-raising initiatives such as the campaign of the Secretary-General entitled "Unite to end violence against women" and national campaigns had been emphasized. The role of the media in promoting gender equality had also been underlined;

(f) *Comprehensive approach*. A range of efforts were needed to ensure that strategies, action plans and related legislative frameworks included specific provisions or guidelines for better protecting all citizens from violent crimes, including domestic violence, sexual assault, marital sexual assault and female genital mutilation;

(g) *The role of the private sector, especially the media and advertising agencies*. The private sector, especially the media and advertising agencies, should be used as agents for restoring or establishing a respectable image of women and should exercise social responsibility in broadcast and published material;

(h) *Women in conflict and post-conflict settings*. Violence inflicted upon women during conflicts tended to continue into the post-conflict stage, and that phenomenon needed to be addressed not only by means of criminal justice responses, but also by involving women in the peace processes aimed at ending the conflicts in their countries.

B. Workshop

37. A workshop on the theme "Eliminating violence against women: forms, strategies and tools" was organized by the institutes of the United Nations Crime Prevention and Criminal Justice Programme network. The workshop was chaired by the Second Vice-Chairman of the Commission and moderated by the Chief of the International Center of the National Institute of Justice of the United States Department of Justice. The Director of the United Nations Interregional Crime and Justice Research Institute served as Rapporteur. The workshop concluded with an interactive discussion among participants. Summaries of the seven presentations made at the workshop were made available to the Commission in a background paper prepared by the United Nations Crime Prevention and Criminal Justice Programme network.

38. A representative of the Secretariat underlined the role of the institutes of the United Nations Crime Prevention and Criminal Justice Programme network in addressing aspects of research into violence against women, including developing relevant indicators, promoting best practices in assisting the victims of violence and building the capacity of the criminal justice and law enforcement sectors to prevent and respond to violence against women.

39. The observer for the European Institute for Crime Prevention and Control, affiliated with the United Nations, gave a presentation on the results of the International Violence against Women Survey. In the presentation, the speaker highlighted the importance of conducting internationally comparative studies as a means of detecting universal factors associated with violence against women and as a tool for assisting the implementation of international agreements and norms. In the view of the speaker, such surveys could contribute to social change and awareness on a broader scale and provided a proper basis on which to better target assistance and plan interventions, provide adequate services and public education and reform legislation. The data collected through such surveys would also help in the development of training for police and other officials. The purpose of the International Violence against Women Survey, it was noted, was to promote research on violence against women around the world as a tool for research and policy. The speaker cited rates of child abuse and of intimate partner violence in the nine States participating in the Survey, and called for attention to be paid to victims' perceptions of intimate partner violence and to the percentage of women experiencing marital violence. The speaker addressed the issue of risk factors for intimate partner violence and the response of criminal justice systems. She stressed that the lack of confidence in the law enforcement response was one reason why victims did not report offences to the police, and offered relevant recommendations.

40. The observer for the African Institute for the Prevention of Crime and the Treatment of Offenders focused on the issue of violence against women and girls in Africa during armed conflict, referring in particular to two studies on trafficking in persons from Nigeria and Uganda and research on secondary sources. It was observed that the research indicated that such violence was not limited to any one region of the world but, rather, was present in all regions where armed conflict had been reported. The speaker enumerated different types of violence encountered during armed conflicts, noting that the material analysed revealed the impunity of perpetrators despite the classification of those acts as crimes under international

criminal justice instruments. The way forward proposed by the speaker was that Government representatives and concerned field organizations should meet to discuss issues such as the protection of victims and witnesses, mechanisms to address related problems and the launching of awareness campaigns, which should be encouraged.

41. The observer for the International Scientific and Professional Advisory Council referred to links between women and girls and terrorism. She pointed out that the United Nations Global Counter-Terrorism Strategy (General Assembly resolution 60/288) and the related action plan, which did not elaborate on gender issues, and Security Council resolution 1325 (2000) of 30 October 2000 constituted steps forward in that connection. It was stated that gender-based terrorism had multifaceted implications: women and girls could be victims and could also be used as tactical weapons. While efforts had been made to create indicators that measured violence against women, the speaker felt that there was a need to develop methods of measuring violence against women in terms of terrorism, gauging both qualitative and quantitative criteria in order to include indicators of violence against women that had already been put forward. Information was also provided on the recruitment and training of young girls and women to become terrorists.

42. The observer for the International Centre for Criminal Law Reform and Criminal Justice Policy underscored the need for indicators to address violence against women and to assess the responses of criminal justice systems. The speaker cited some reasons for the adoption of proper indicators, such as monitoring, evidence-based planning and interventions and the measurement of access to and the quality of services. In the view of the speaker, indicators were useful for monitoring trends and for making comparisons between regions and countries; in addition, they were a tool for revealing existing gaps. The speaker concluded by saying that the development of indicators for measuring criminal justice responses to violence against women was possible but remained a challenging task.

43. The observer for the International Centre for the Prevention of Crime stressed the importance of promoting women's safety and analysing local strategies and promising practices to prevent violence against women. The speaker referred to the expanding range of tools available at the local government level for effective urban crime prevention, including support from national and subnational governments to implement at the local level strategies that respect human rights, the development of comprehensive strategies by local authorities, the strengthening of community policing and community partnerships with civil society and the direct integration of vulnerable groups such as women and girls, minorities and youth. As examples of those tools, the speaker mentioned city toolkits, safety auditing and exploratory walks, manuals and guides and observatories on crime trends in various regions of the world.

44. The observer for the National Institute of Justice of the United States Department of Justice shared examples of coordinated community responses to violence against women. The speaker stated that early forms of such responses included the coordination of stakeholders in the criminal justice system, although the information-sharing process involved only the police, the courts and the correctional system, leaving out one group of stakeholders: civil society. The speaker observed that, as later forms of those responses had expanded to include civil society (health-care and mental health-care experts, policymakers and others),

in such a multidisciplinary approach, criminology, psychology, public administration and other disciplines were well represented and played a role in information-sharing and in ensuring that victims received redress and that offenders were held accountable. In the view of the speaker, coordinated community responses could be used to tackle any emerging concerns.

45. The observer for the United Nations Interregional Crime and Justice Research Institute underlined the value of the exchange of judicial information for enhancing the prosecution of violence against women and girls and for timely assistance to victims. It was stressed that data on violence against women were essential to inform sound policy. While some progress had been made in documenting some of the most common forms of violence against women, the speaker felt that there were still many forms of violence that remained largely undocumented, including trafficking in women for sexual and other exploitation. In that regard, it was observed that the Institute had developed expertise in the area of information and data exchange, especially in the sphere of countering human trafficking. The speaker noted that information exchange mechanisms made it possible to gather data to identify trends in crime and formulate solutions and to adopt new strategies and methodologies. In the view of the speaker, accurate and comprehensive data were crucial to monitoring, to enhancing action by States to counter violence against women and to devising effective responses. It was stated that, because human trafficking was an offence that frequently involved cross-border activity, States should consider taking steps to ensure that they cooperated with and assisted each other in the investigation, prosecution and punishment of offenders. The speaker referred to three research programmes of the Institute, including centralized databases for the prosecution of trafficking cases in Costa Rica, Nigeria and Thailand.

46. The workshop presentations concluded with a number of proposals. It was suggested that the Commission should consider initiating a process for the development of international criminal justice indicators on violence against women. The Model Strategies and Practical Measures on the Elimination of Violence against Women in the Field of Crime Prevention and Criminal Justice, adopted by the General Assembly in its resolution 52/86 of 12 December 1997, and the result of the work of the expert working group on model legislation that was to meet in Vienna in 2008 could serve as a basis for the development of such indicators.

47. The Commission was invited to consider encouraging the Member States to support the use of participatory women's safety audits, which enabled civil society and non-governmental organizations to engage with local government authorities as a way of increasing interaction with marginalized groups and empowering community members.

48. It was suggested that the Commission should encourage Member States to develop their national capacity to collect the data required for indicators concerning violence against women. It was also suggested that States should continue to develop and use victimization surveys to assess violence against women in both public and private spaces, giving due regard to the ethical issues of ensuring the safety of and support to participants in such surveys. It was further suggested that Member States should consider strengthening local capacity to develop and implement integrated local strategies to combat violence against women and to promote women's safety. UNODC and the institutes of the United Nations Crime

Prevention and Criminal Justice Programme network should be requested to collaborate in the collection and dissemination of examples of good practices.

C. Action taken by the Commission

49. At its 10th meeting, on 18 April, the Commission considered a revised draft decision (E/CN.15/2008/L.3/Rev.1), sponsored by Albania, Angola, Argentina, Belarus, Bolivia, Brazil, Burkina Faso, Chile, China, Colombia, the Dominican Republic, Egypt, Ethiopia, Guatemala, India, Mexico, Morocco, Namibia, Nigeria, Peru, the Philippines, Serbia, South Africa, Switzerland, Thailand, Uganda, the United States and Venezuela (Bolivarian Republic of). A representative of the Secretariat read out a financial statement. (For the text, see annex II.) The representative of Namibia noted with deep regret that the Commission had not been able to reach consensus on a resolution concerning such an important issue as violence against women and girls, as it had at past sessions. In the light of the foregoing, the representative, on behalf of the original sponsors, presented a revised version of the draft resolution, amending it to make it a draft decision. She urged delegations to adopt the revised draft decision as put forward in order to reflect the fact that violence against women and girls was an issue of great importance for the Commission. The Chairman of the Commission aligned himself with the statement made by the representative of Namibia and appealed to delegations to accommodate the feelings and views of the sponsors and to avoid a protracted discussion. The Second Vice-Chairman supported the statement made by the Chairman and emphasized that the Commission should, in the spirit of humanity, adopt the decision as presented. The observer for Cuba, while expressing his support for the revised draft decision, disassociated his Government from the inclusion of the language "and invites Member States and other donors to provide extrabudgetary contributions for those purposes in accordance with the rules and procedures of the United Nations" contained in subparagraph (c) of the revised draft decision, noting that the use of such phrases violated the provisions of General Assembly resolutions 41/213 of 19 December 1986 and 42/211 of 21 December 1987, as well as section VI of resolution 45/248 B of 21 December 1990, in which the Assembly reaffirmed that the Fifth Committee was the appropriate Main Committee of the General Assembly entrusted with responsibilities for administrative and budgetary matters. The speaker noted that the action required in subparagraph (c) was the convening of a meeting, which was a service that, in his opinion, should be covered under the regular budget and be subject to the evaluation and approval of the Fifth Committee of the General Assembly. The representative of Saudi Arabia disassociated his Government from the adoption of the revised draft decision due to the fact that the text was not available in Arabic. At the same meeting, the Commission adopted the revised draft decision (E/CN.15/2008/L.3/Rev.1). (For the text, see chapter I, section D, decision 17/1.) Following the adoption of the decision, the representative of the United States made a statement in connection with the preambular paragraph. The representative emphasized that the Beijing Declaration and Platform for Action and the outcome of the International Conference on Population and Development expressed many important political goals that the United States endorsed and that his delegation reaffirmed the goals, objectives and commitments contained in those documents. He underlined that, although those documents constituted an important policy framework, they did not create

international legal rights or legally binding obligations on States under international law. He further stated that the reaffirmation of the goals, objectives and commitments set forth in the above-mentioned documents did not constitute a change in the position of the United States with respect to treaties that it had not ratified. He also emphasized that the reference to those documents did not imply any recognition of a right to abortion and could not be interpreted as constituting support, endorsement or promotion of abortion, and he referred to the international consensus with respect to the fact that usage of the term "sexual and reproductive health" did not include abortion or constitute support, endorsement or promotion of abortion or the use of abortifacients. He further noted that the United States supported the treatment of women who had suffered injuries or illnesses caused by legal or illegal abortion, including post-abortion care, and underlined that such treatment was not viewed as abortion-related services.

Chapter III

World crime trends and responses: integration and coordination of efforts by the United Nations Office on Drugs and Crime and by Member States in the field of crime prevention and criminal justice

50. At its 2nd, 5th and 6th meetings, on 14 and 16 April, the Commission on Crime Prevention and Criminal Justice considered agenda item 4, which read as follows:

> "World crime trends and responses: integration and coordination of efforts by the United Nations Office on Drugs and Crime and by Member States in the field of crime prevention and criminal justice:
>
> "(a) Work of the United Nations Office on Drugs and Crime in facilitating the ratification and implementation of the United Nations Convention against Transnational Organized Crime;
>
> "(b) Work of the United Nations Office on Drugs and Crime in facilitating the ratification and implementation of the United Nations Convention against Corruption;
>
> "(c) Work of the United Nations Office on Drugs and Crime in facilitating the ratification and implementation of the international instruments to prevent and combat terrorism;
>
> "(d) Other activities in support of the work of the United Nations Office on Drugs and Crime."

51. For its consideration of the agenda item, the Commission had before it the following:

(a) Report of the Executive Director on the activities of the United Nations Office on Drugs and Crime (E/CN.7/2008/3-E/CN.15/2008/3);

(b) Report of the Secretary-General on international cooperation in combating transnational organized crime and corruption (E/CN.15/2008/4);

(c) Report of the Secretary-General on assistance in implementing the universal conventions and protocols related to terrorism (E/CN.15/2008/5);

(d) Report of the Secretary-General on strengthening international cooperation in preventing and combating trafficking in persons and protecting victims of such trafficking (E/CN.15/2008/6);

(e) Note by the Secretariat on world crime trends and responses: integration and coordination of efforts by the United Nations Office on Drugs and Crime and by Member States in the field of crime prevention and criminal justice (E/CN.15/2008/7);

(f) Report of the Secretary-General on the activities of the institutes of the United Nations Crime Prevention and Criminal Justice Programme network (E/CN.15/2008/8);

(g) Report of the Executive Director on international cooperation in preventing and combating international trafficking in forest products, including timber, wildlife and other forest biological resources (E/CN.15/2008/9) and supplementary information from Member States (E/CN.15/2008/CRP.4);

(h) Report of the Executive Director on the global initiative to fight human trafficking (E/CN.15/2008/10);

(i) Report of the meeting of the Open-ended Expert Group on International Cooperation in Preventing and Combating Illicit International Trafficking in Forest Products, including Timber, Wildlife and Other Forest Biological Resources, held in Jakarta from 26 to 28 March 2008 (E/CN.15/2008/20);

(j) Report on the Vienna Forum to Fight Human Trafficking, held in Vienna from 13 to 15 February 2008 (E/CN.15/2008/CRP.2).

52. Introductory statements were made on sub-items (a), (b) and (c) by the Director of the Division for Treaty Affairs of UNODC and the Officer-in-Charge of the Division for Policy Analysis and Public Affairs of UNODC. A representative of the Secretariat gave an audio-visual presentation on the online database of competent national authorities compiled by UNODC. The Commission heard statements from the representatives of Argentina (on behalf of the States Members of the United Nations that are members of the Group of Latin American and Caribbean States), Bolivia, Brazil, Canada, Chile, Indonesia, Iran (Islamic Republic of) (on behalf of the States Members of the United Nations that are members of the Group of Asian States), Japan, Namibia, the Niger, Nigeria, the Russian Federation, Saudi Arabia, Turkey, Ukraine (on behalf of GUAM) and the United States. The observers for Algeria, Australia, Azerbaijan, Belarus, Croatia, Cuba, the Dominican Republic, France, Kuwait, Liechtenstein, Malaysia (on behalf of the Group of 77 and China), Mexico, Morocco, Slovenia (on behalf of the States Members of the United Nations that are members of the European Union and Albania, Bosnia and Herzegovina, Croatia, Moldova, Montenegro, Serbia, the former Yugoslav Republic of Macedonia, Turkey and Ukraine, as well as Iceland and Norway), the Sudan (on behalf of the States Members of the United Nations that are members of the Group of African States), Thailand and Venezuela (Bolivarian Republic of) also made statements. Statements were also made by the observers for the United Nations Human Settlements Programme (UN-Habitat), the United Nations Interregional Crime and Justice Research Institute, the Asia and Far East Institute for the Prevention of Crime and the Treatment of Offenders, the Asia Crime Prevention Foundation, Eurojust, the International Confederation of Free Trade Unions, the International Federation of Red Cross and Red Crescent Societies and the Organization for Security and Cooperation in Europe.

A. Deliberations

1. Work of the United Nations Office on Drugs and Crime in facilitating the ratification and implementation of the United Nations Convention against Transnational Organized Crime

53. The Director of the Division for Treaty Affairs introduced the report of the Secretary-General on international cooperation in combating transnational organized crime and corruption (E/CN.15/2008/4), which dealt with the integration

and coordination of efforts by UNODC and Member States in the field of crime prevention and criminal justice. The report contained detailed information on adherence to the United Nations Convention against Transnational Organized Crime,[35] as well as on progress made in improving the rate of accession to the Convention and in implementing the decisions adopted by the Conference of the Parties to the United Nations Convention against Transnational Organized Crime at its third session. The Director also reported on the recent inclusion in the online database for the Convention, in order to facilitate communication, of national competent authorities, designated by Member States for the purposes of the Convention and the Protocol against the Smuggling of Migrants by Land, Sea and Air, supplementing the United Nations Convention against Transnational Organized Crime.[36]

54. The Director reported on other activities of UNODC to support Member States in the implementation of the Convention: the development of specialized legal tools, including manuals to combat transnational organized crime; the identification of internationally accepted good practices on witness protection; the development of an updated toolkit and advanced training manual on trafficking in persons; the drafting of a model law against trafficking in persons and the development of a series of guidelines to assist Member States in implementing the Protocol against the Illicit Manufacturing of and Trafficking in Firearms, Their Parts and Components and Ammunition, supplementing the United Nations Convention against Transnational Organized Crime.[37] The Director also introduced the report of the Secretary-General on strengthening international cooperation in preventing and combating trafficking in persons and protecting victims of such trafficking (E/CN.15/2008/6), highlighted its main conclusions and reported on the Vienna Forum to Fight Human Trafficking, which had been held in Vienna from 13 to 15 February 2008, and other current and planned activities under the United Nations Global Initiative to Fight Human Trafficking.

55. The Director also gave a progress report on international cooperation in preventing and combating illicit international trafficking in forest products, including timber, wildlife and other forest biological resources (see E/CN.15/2008/9), pursuant to Commission on Crime Prevention and Criminal Justice resolution 16/1, as well as a report on the meeting of the Open-ended Expert Group on International Cooperation in Preventing and Combating Illicit International Trafficking in Forest Products, including Timber, Wildlife and Other Forest Biological Resources (see E/CN.15/2008/20), jointly organized by UNODC and the Government of Indonesia and held in Jakarta from 26 to 28 March 2008.

56. The Officer-in-Charge of the Division for Policy Analysis and Public Affairs introduced the note by the Secretariat entitled "World crime trends and responses: integration and coordination of efforts by the United Nations Office on Drugs and Crime and by Member States in the field of crime prevention and criminal justice" (E/CN.15/2008/7) and informed the Commission about recent efforts on the part of the Secretariat to improve the quantity and quality of information provided by Member States on crime prevention and criminal justice. He recalled that better data

[35] United Nations, *Treaty Series*, vol. 2225, No. 39574.
[36] United Nations, *Treaty Series*, vol. 2241, No. 39574.
[37] United Nations, *Treaty Series*, vol. 2326, No. 39574.

to increase the knowledge base on which to build crime prevention policies had been called for in the strategy for the period 2008-2011 for the United Nations Office on Drugs and Crime (Economic and Social Council resolution 2007/12, annex). The main instrument for the collection of crime and criminal justice statistics, the United Nations Survey of Crime Trends and Operations of Criminal Justice Systems, had been revised with a view to increasing and facilitating the response from countries, which had resulted in an encouraging number of replies to the Tenth Survey being received early in 2008.

57. The observer for Malaysia, speaking on behalf of the Group of 77 and China and with the support of several other speakers, noted with satisfaction the new ratifications of the Organized Crime Convention and the holding of the meeting of the Open-ended Expert Group on International Cooperation in Preventing and Combating Illicit International Trafficking in Forest Products, including Timber, Wildlife and Other Forest Biological Resources, as mandated by Commission resolution 16/1, and welcomed the growing attention being paid to crimes against the environment. A number of speakers expressed regret that UNODC had not convened the expert group meeting on protection against trafficking in cultural property, as requested by Economic and Social Council resolution 2004/34 of 21 July 2004, and called on donors and UNODC to raise funds for the establishment of an expert working group on trafficking in cultural property. Speakers expressed grave concern about trafficking in cultural property, in particular in developing countries and in conflict settings. It was emphasized that countries should promote or reinforce mechanisms to strengthen cooperation and mutual assistance to fight such trafficking. One speaker highlighted the need to further examine the use of the Organized Crime Convention to break up and prosecute international smuggling operations and build the capacity of States to address the issue within the framework of the Convention.

58. Many speakers emphasized that globalization and increased international trade were factors facilitating the illicit activities of transnational organized criminal groups and that, in response, the international community must combine its efforts to combat such illicit activities. Several speakers called for improved international cooperation through mechanisms for mutual legal assistance, extradition, the exchange of information and review to ensure a coordinated and comprehensive approach to all aspects of international organized crime and its consequences. Some speakers also called for prompt and increased adherence to the Organized Crime Convention and its Protocols,[38] and urged UNODC to continue its commendable work of assisting States in enhancing regional and international cooperation, including mutual legal assistance.

59. A number of speakers noted that political, jurisdictional, cultural and practical obstacles to enhanced international cooperation remained and affirmed that such obstacles could be overcome through political will and effective implementation of the Organized Crime Convention.

60. Several speakers reiterated the need to strengthen the roles of the Commission on Crime Prevention and Criminal Justice and the Conference of the Parties to the United Nations Convention against Transnational Organized Crime as policymakers and governing bodies on matters regarding crime prevention and criminal justice,

[38] United Nations, *Treaty Series*, vols. 2225, 2237, 2241 and 2326, No. 39574.

and to ensure close coordination between UNODC and interested parties in the design and implementation of training and cooperation at the regional level. Some speakers also affirmed that there was a need for a more comprehensive and balanced approach to preventing and combating transnational organized crime. One speaker suggested that UNODC should examine links not only among different transnational illicit activities (such as trafficking in persons, drugs and other controlled substances, arms, forest products, exotic and endangered species and luxury goods) but also with emerging issues, including the use of the Internet and other technologies to commit crimes.

61. Several speakers noted the impact of transnational organized crime, in particular trafficking in persons, on economic and social development, and the fact that there were close links between human trafficking and other forms of transnational organized crime, such as terrorism, as demonstrated by the commonalities of criminal networks, routes and methods. Similarly, it was noted that corruption was a factor facilitating trafficking in persons. It was also noted that the current high public profile of trafficking in persons reflected the growing dimension of the problem.

62. While supporting the increased emphasis put on the issue of trafficking in persons, the observer for Malaysia, speaking on behalf of the Group of 77 and China, expressed concern about the lack of attention being paid to the issue of trafficking in human organs and suggested convening an open-ended expert group meeting to discuss the extent of the problem and possible remedies.

63. Several speakers applauded the success of the Vienna Forum to Fight Human Trafficking, noting that it had provided an environment conducive to the exchange of information, the establishment of partnerships and the development of networks. The Forum had been instrumental in raising global awareness of the issue of trafficking in persons and had provided for the active involvement of the private sector and other new partners in the response to trafficking in persons. The Forum had also highlighted the need for Governments to involve civil society more fully and formally in addressing the issue of trafficking in persons. In that context, several speakers stressed the point that trafficking in persons could not be addressed by Governments alone but required effective partnerships between Governments and civil society, in particular organizations working in the area of the protection of vulnerable groups, including migrants.

64. While noting the positive impact of the Global Initiative to Fight Human Trafficking, one speaker pointed out that the Inter-Agency Cooperation Group against Trafficking in Persons, established in 2006, had been overshadowed by the Global Initiative and should be utilized to the fullest extent possible. Two expert group meetings had been held by the Group, but that Member States had not been notified of them. The Group and UNODC were urged to become more active in coordinating their activities. One speaker noted the contribution to public awareness that the broad spectrum of regional meetings under the Global Initiative had provided on the many aspects of trafficking in persons. Some speakers emphasized the importance of long-term planning and funding for initiatives on trafficking in persons in order to maintain and build on the momentum generated by the Global Initiative.

65. While acknowledging the importance of the Global Initiative to Fight Human Trafficking, including the holding of the Vienna Forum to Fight Human Trafficking, the representative of Argentina, speaking on behalf of the Group of Latin American and Caribbean States, underlined that initiatives of such importance should have the full participation of the competent intergovernmental organs and Member States in order to ensure that those initiatives conformed to agreed mandates. Several speakers encouraged the Secretariat to continue consultations with Member States on the conduct of the Global Initiative, including on upcoming events, in order to give Member States an opportunity to provide guidance. The observer for Malaysia, speaking on behalf of the Group of 77 and China, reminded UNODC that the Commission, in paragraph 10 of its decision 16/2, had requested UNODC to provide Member States, the Commission and the Conference of the Parties to the United Nations Convention against Transnational Organized Crime with all information on the proceedings of the Vienna Forum as well as on progress and future planning of the Global Initiative, and expressed regret that the information on the Vienna Forum had been presented in the form of a conference room paper rather than as a document of the seventeenth session of the Commission and was thus not available in all the official languages of the United Nations. The observer for the Sudan, speaking on behalf the Group of African States, emphasized the governing role of the Commission and requested that UNODC keep the Commission informed of all initiatives relating to the mandate of UNODC.

66. One speaker noted with appreciation the conclusions presented in the report of the Secretary-General on strengthening international cooperation in preventing and combating trafficking in persons and protecting victims of such trafficking (E/CN.15/2008/6), in particular with regard to the need to ensure the protection of victims of trafficking in persons and to enhance coordination of law enforcement at the national, regional and international levels, as well as to increase research and analysis on trafficking in persons in post-conflict situations and areas that had suffered natural disasters.

67. A number of speakers called on Member States to actively participate in the thematic debate of the General Assembly on human trafficking to be held in June 2008. It was noted that the thematic debate would provide a good opportunity for Member States to consider developing a comprehensive United Nations strategy to combat trafficking in persons and improve the coordination of existing responses. It was further noted that such a strategy could support the implementation of the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the Convention.[39] The prospect was raised of holding, subject to further consideration by Member States, a special session of the General Assembly on trafficking in persons.

68. One speaker, while noting with appreciation the many activities undertaken by UNODC in response to the decisions taken by the Conference of the Parties to the United Nations Convention against Transnational Organized Crime, observed that the two entities needed greater coordination and dynamism and expressed the view that the recent reorganization of UNODC would contribute to that goal. She noted that it was crucial for UNODC to have an overall, integrated and coordinated approach in all its activities.

[39] United Nations, *Treaty Series*, vol. 2237, No. 39574.

69. One speaker stressed the importance of the protection and preservation of cultural property from theft and trafficking and the importance of the issue of trafficking in human organs and suggested that expert group meetings should be held to discuss those topics, with due attention being paid to the selection of experts to ensure equitable geographical representation.

70. One speaker expressed concern at the low ratification of the Firearms Protocol and called upon UNODC to intensify its efforts in that regard.

2. Work of the United Nations Office on Drugs and Crime in facilitating the ratification and implementation of the United Nations Convention against Corruption

71. The Director of the Division for Treaty Affairs, referring to the report of the Secretary-General on international cooperation in combating transnational organized crime and corruption (E/CN.15/2008/4), outlined the steps that had been taken to implement the resolutions of the Conference of the States Parties to the Convention against Corruption at its first session and provided information on the second session of the Conference, held in Indonesia from 28 January to 1 February 2008. She noted that the number of States parties to the United Nations Convention against Corruption[40] had increased to 113. She briefed the meeting on the follow-up to the resolutions adopted by the Conference at its second session, including the development of a comprehensive self-assessment checklist in electronic form, the expansion of the voluntary pilot review programme and the launch of new activities under the Stolen Asset Recovery (StAR) initiative of UNODC and the World Bank. She provided an overview of the technical assistance activities conducted by UNODC for the promotion of the ratification and implementation of the Convention.

72. Several speakers noted the negative effects of corruption, which undermined economic growth, reduced investment, diverted public funds from necessary spending on infrastructure and destroyed public trust in state institutions, thereby undermining the rule of law, justice and security. It was emphasized that corruption was a crime that had transnational dimensions and that created social tensions. It was also highlighted that corruption impeded the achievement of the Millennium Development Goals and threatened democratic rule.

73. A number of speakers emphasized the importance of modernizing national institutions in order to prevent and combat corruption, and suggested that corruption in the criminal justice system should receive special attention worldwide because it created an environment conducive to crime.

74. Many speakers welcomed the increase in the number of ratifications and accessions to the Convention against Corruption and expressed appreciation to the Government of Indonesia for acting as host to the second session of the Conference, in January 2008. One speaker noted that the Conference was now the main body adopting decisions on implementation of the Convention against Corruption. Speakers welcomed the continuation of the work of the three open-ended intergovernmental working groups established by the Conference in the lead-up to the third session, to be held in 2009.

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[40] United Nations, *Treaty Series*, vol. 2349, No. 42146.

75. Speakers considered the self-assessment checklist to be a useful basis for gathering information on the implementation of the Convention against Corruption, and the high number of States parties that had submitted their self-assessments using the software designed by the Secretariat to facilitate the collection of information was noted. The further development and expansion of the software was welcomed by several speakers.

76. The topic of the review of the implementation of the Convention against Corruption was intensively discussed. The observer for Malaysia, speaking on behalf of the Group of 77 and China, and the observer for the Sudan, speaking on behalf of the Group of African States, stressed that any review mechanism should be a subsidiary body of the Conference and meet the criteria set out in Conference resolutions 1/1 and 2/1, namely, that it should be transparent, efficient, non-intrusive, inclusive and impartial and not produce any form of ranking. Its sole objective should be to assist the Conference in helping States to effectively implement the Convention. Its reports should not be disclosed until they had been considered by the Conference and should be based only on information provided by States parties. In addition, the review mechanism should be funded from the regular budget in order to ensure the independence of its decisions. The observer for Slovenia, speaking on behalf of the European Union, emphasized that it was necessary to ensure that information gathered on the implementation of the Convention was reliable and homogeneous. Thus, the review mechanism should operate according to balanced, transparent and objective assessment criteria. The speaker suggested that the information gathered through self-assessments should be supplemented by information gathered as a result of discussions among international experts. Several speakers were of the view that the review mechanism should seek to minimize the burden on States parties, in particular in the light of their participation in other regional and sectoral review mechanisms. It was also noted that the mechanism should not undermine the universality of the Convention or discourage ratification and accession by new States. States should be encouraged in their implementation of the provisions of the Convention and not be punished for poor performance. Some speakers emphasized the importance of involving civil society in the review process. Some speakers welcomed the work carried out under the pilot programme for the review of the implementation of the Convention and the expansion of the programme to other countries. The pilot programme was seen as a useful means of testing methods to review implementation of the Convention and had already yielded lessons learned in that respect.

77. It was noted that technical assistance was a cross-cutting issue and that its provision was an essential part of effective and efficient implementation. The need to provide developing countries with adequate assistance was emphasized. The representative of the Islamic Republic of Iran, speaking on behalf of the Group of Asian States, and the observer for the Sudan, speaking on behalf of the Group of African States, noted that technical assistance should be delivered, upon request, on the basis of the priorities of the recipient country and in accordance with the principles of mutual benefit and respect for diversity and national sovereignty. Furthermore, no conditions should be attached and no links should be established with development assistance, and the provisions and principles of the Convention against Corruption should be used as the framework for the provision of bilateral and multilateral assistance from donors. Several speakers indicated that sufficient

and stable funding of the Conference and UNODC was essential to enable the two entities to promote programmes and projects.

78. Several speakers noted that their States would benefit from technical assistance, both for the ratification of the Convention and for the implementation of its provisions. The observer for Slovenia, speaking on behalf of the European Union, encouraged requesting States to identify their needs, develop multi-year plans and designate focal points. One speaker referred to technical assistance as a partnership between developed and developing countries.

79. A number of speakers addressed the issue of asset recovery as a high priority for the States parties and called for the elimination of safe havens for illegally acquired funds. They urged all States to facilitate the rapid return of assets and to assist requesting States in building capacity to minimize the costs of tracing, confiscating and recovering illegally acquired assets. The StAR initiative was welcomed as a particularly useful endeavour in the area of asset recovery. The key role of UNODC in facilitating international cooperation, including through building the capacity of and training authorities, was noted. Some speakers expressed regret that the proposal submitted to the Conference to establish a consultative group on asset recovery had not been fully discussed at the second session of the Conference.

80. Several speakers reported on the efforts of their countries to implement the provisions of the Convention against Corruption. The updating of existing legislation or adoption of new legislation was seen as a key initial phase in implementation, which created a solid legal framework at the national level. Some States had developed and adopted national action plans or programmes to combat corruption, and the importance of adopting an approach that included all relevant actors at the national level was acknowledged. Speakers reported the establishment of national anti-corruption authorities and ethics committees, and emphasis was placed on the preventive role of those bodies. Capacity-building and training were considered crucial to the implementation of anti-corruption measures.

81. The importance of exchanging information, good practices and lessons learned in the implementation of anti-corruption mechanisms was emphasized. The technical assistance tools developed by UNODC and other organizations were welcomed. Several speakers reported on national and regional initiatives, in particular the seminars and workshops organized by the United Nations Interregional Crime Research Institute, the Asia and Far East Institute and the International Centre for Asset Recovery of the Basel Institute on Governance, which had provided useful platforms for the exchange of information and training.

3. Work of the United Nations Office on Drugs and Crime in facilitating the ratification and implementation of the international instruments to prevent and combat terrorism

82. In her introductory statement, the Director of the Division for Treaty Affairs referred to the counter-terrorism technical assistance delivered by the Terrorism Prevention Branch of the Division and to the challenges ahead. While significant progress had been made, much work remained to be done in order to reach universal ratification and full implementation of the international legal instruments relating to terrorism. In order to meet the increasing number of requests and to enhance the delivery of assistance for strengthening the capacity of criminal justice systems,

UNODC sought to draw on and build upon its in-house capacities and expertise and to enhance collaboration and coordination with other entities and organizations. She expressed profound gratitude for the support provided in that area to and the confidence entrusted in UNODC by donor and recipient countries. She assured the Commission that UNODC was committed to delivering effective assistance to Member States in compliance with its mandates, the relevant results defined in the UNODC strategy for the period 2008-2011 and result-based programme management.

83. Many speakers condemned terrorism in all its forms and manifestations. They noted that terrorism constituted a serious challenge to international peace and security and threatened to undermine the very values on which the United Nations was founded, including the rule of law, respect for human rights, fundamental freedoms and the opportunity for all to achieve social and economic development. Speakers also noted that terrorism should not be associated with any particular nationality, civilization, religion or ethnic group.

84. Several speakers underlined the importance of upholding the rule of law, respecting human rights and complying with international obligations and standards in countering terrorism. Effective counter-terrorism measures and the protection of human rights and the rule of law were complementary and mutually reinforcing. The importance of a criminal justice response in due conformity with the principle of the rule of law was also stressed. It was noted that counter-terrorism measures must comply with the obligations of Member States under international humanitarian law and refugee law.

85. Speakers stressed the importance of the efforts made by the international community and the United Nations to address terrorism. Several speakers referred to the United Nations Global Counter-Terrorism Strategy (General Assembly resolution 60/288) and underlined their strong support for the review by the General Assembly of progress made in the implementation of the Strategy, to take place in September 2008. Several speakers stressed the importance of addressing the conditions conducive to the spread of terrorism and emphasized the need to promote inter-faith and inter-civilization harmony and understanding, as well as the need to address unresolved conflicts.

86. Most speakers highlighted the high value of the technical assistance delivered by the Terrorism Prevention Branch, which had become the key provider within the United Nations system of technical assistance in the legal and related aspects of counter-terrorism. Speakers expressed appreciation and strong support for the work of the Branch in assisting more than 150 States in becoming parties to and implementing the relevant universal instruments related to terrorism, including work for strengthening the capacity of national criminal justice systems to apply effectively the provisions of those instruments and for reinforcing international cooperation. Some speakers made specific reference to the efforts undertaken by the Branch to make technical assistance tools accessible, including by using all the official languages of the United Nations on its website. Appreciation was also expressed for the organization by the Branch of numerous subregional and regional conferences and a workshop, including the Fourth Conference of Ministers of Justice of the French-speaking African Countries on the implementation of the international counter-terrorism instruments, organized jointly with the International Organization of la Francophonie and held in Ouagadougou in March 2007, the

Ministerial Conference on International Cooperation against Terrorism and Transnational Organized Crime, organized jointly with the Inter-American Committee against Terrorism of the Organization of American States and held in Santo Domingo in March 2007, and the Euro-Mediterranean workshop on the mechanisms of international cooperation in criminal matters pertaining to counter-terrorism, organized together with the European Commission and the Slovenian Presidency of the European Union, to be held in Rabat in May 2008.

87. It was underlined that universal adherence to and implementation of the universal instruments against terrorism were an essential component in the global effort to combat terrorism and that much work needed to be done to achieve universal adherence. Several speakers stressed that technical assistance needed to be sustained to ensure an effective and adequate follow-up to the initial assistance efforts undertaken and thus achieve a long-term impact. The need for specialized and systematic training for criminal justice officials was highlighted, and appreciation was expressed for the involvement of experienced prosecutors and criminal justice officials in the conduct of specialized training sessions.

88. Several speakers underlined the importance of close collaboration with the bodies established by the Security Council to counter terrorism, in particular the Counter-Terrorism Committee and its Executive Directorate. Speakers underlined the importance of working in partnership and of enhanced cooperation and coordination, both in-house and with other regional and international organizations. One speaker said that enhanced cooperation with regional organizations should not disadvantage Member States that were not members of those organizations. Strong support was expressed for the work of the Counter-Terrorism Implementation Task Force in enhancing cooperation among entities of the United Nations system and other international organizations involved in the field of counter-terrorism and for the UNODC contributions to its work.

89. Several speakers noted the steps that had been taken by their Governments to ratify the existing regional and universal instruments related to terrorism and made reference to specific measures undertaken with the support of the Terrorism Prevention Branch, including national, subregional and regional workshops that had been held to assist in the ratification and implementation of those instruments. Those speakers also referred to the process of bringing national legislation into compliance with international standards for the implementation of the ratified instruments and taking into full consideration the requirements of Security Council resolution 1373 (2001) of 28 September 2001. The legislative measures adopted included the criminalization of offences, the enhancement of the capacity to prevent and prosecute terrorist acts and the introduction of specific steps to identify the financing of terrorism, including new provisions for the seizure and confiscation of funds. Other measures included the creation of specialized counter-terrorism bodies, inter-agency coordination mechanisms and capacity-building in police and intelligence agencies to respond effectively to the threat of international terrorism, as well as activities addressing the victims of terrorism and sensitization and awareness-raising activities addressing civil society, in particular young people.

90. Speakers emphasized that international cooperation, in particular extradition and mutual legal assistance, was crucial to any effort to prevent and combat terrorism. Some speakers made reference to the need to develop subregional and regional mechanisms to foster cooperation in criminal matters in the area of

counter-terrorism and to the need for in-depth training in specialized areas, in particular international cooperation in criminal matters to counter terrorism. One speaker explained how the work of his organization had helped to improve coordination and cooperation among national authorities in order to render investigations and prosecutions more effective. Another speaker made reference to the work of his organization in promoting the universal legal framework against terrorism and in enhancing international cooperation in criminal matters related to terrorism and to the joint activities undertaken with the Terrorism Prevention Branch.

91. Several speakers noted the links between terrorism and other forms of crime, including organized crime, drug trafficking and corruption. National, regional and international efforts and mechanisms needed to be continuously improved to effectively counter those interrelated phenomena. The increasingly complex and multifaceted nature of terrorism required integrated services that incorporated the cross-cutting aspects of drug control and the prevention of crime and terrorism to provide synergetic responses. It was noted that that also required the integration of pertinent counter-terrorism aspects into other relevant substantive areas of the mandates and work of UNODC, such as money-laundering, transnational organized crime, drug trafficking, corruption and criminal justice reform. One speaker cautioned against the growing tendency to automatically link terrorism with other types of crime, as it was not sufficiently evidence-based, and called on UNODC to remain focused on its mandated areas of work.

92. The need to complete work on the draft comprehensive convention on international terrorism, including reaching agreement on a definition of terrorism, was highlighted by some speakers. One speaker stressed the need to distinguish between acts of terrorism and acts undertaken in the course of the legitimate struggle for self-determination, as recognized under international humanitarian law. It was reiterated that terrorist acts were unacceptable in all circumstances.

93. Some speakers recalled the financial and other contributions made by their Governments to support the work of the Terrorism Prevention Branch. Many speakers called upon the international community and donors to provide adequate financial resources for the counter-terrorism work of UNODC, especially in view of the need to expand the scope of its activities to meet the growing number of requests from States for technical assistance, as well as the related expansion in operational activities and substantive initiatives to assist States with the implementation of the United Nations Global Counter-Terrorism Strategy.

94. In his concluding remarks, the Chief of the Terrorism Prevention Branch referred to the need for mutual understanding among Member States and the importance of interregional cooperation against terrorism. He thanked Member States for the policy guidance provided by the Commission and for the ongoing support of both recipient and donor countries for the work of the Branch. He expressed appreciation for the excellent cooperation received from other international organizations, subregional and regional organizations. He assured the meeting that the Branch would continue to undertake its work in full coordination with the Counter-Terrorism Committee and its Executive Directorate and reiterated that the Branch was cooperating closely with other UNODC entities working on related matters, including money-laundering and criminal justice reform.

4. Other activities in support of the work of the United Nations Office on Drugs and Crime

95. One speaker recalled the Geneva Declaration on Armed Violence and Development (A/CONF.192/2006/RC/2, annex) and the United Nations Millennium Declaration (General Assembly resolution 55/2), and referred to a national programme for crime prevention that had been established to attain the aims and goals set out in those declarations. The speaker emphasized that that programme was innovative because it went beyond traditional crime prevention and criminal justice measures and focused on addressing the root causes of violence and strengthening social cohesion by tackling such problems as urban crime, poverty and education.

96. Another speaker gave a brief presentation on the work of the Asia Crime Prevention Foundation in providing technical assistance and training to Member States in relation to the United Nations crime conventions.

B. Action taken by the Commission

97. At its 10th meeting, on 18 April, the Commission recommended to the Economic and Social Council the adoption of a revised draft resolution (E/CN.15/2008/L.2/Rev.1) sponsored by Afghanistan, Argentina, Bolivia, Chile, Colombia, Guatemala, Indonesia, Iran (Islamic Republic of), Kuwait, the Libyan Arab Jamahiriya, Pakistan, Peru, Turkey and Venezuela (Bolivarian Republic of). (For the text, see chapter I, section B, resolution I.) Before the approval of the revised draft resolution, a representative of the Secretariat read out a financial statement. (For the text, see annex III.) Prior to the approval of the revised draft resolution, the observer for Cuba disassociated his Government from the inclusion of the language "and invites Member States and other donors to provide extrabudgetary contributions for those purposes in accordance with the rules and procedures of the United Nations" in paragraph 3 of the revised draft resolution, noting that the use of such phrases violated the provisions of General Assembly resolutions 41/213 of 19 December 1986 and 42/211 of 21 December 1987, as well as section VI of resolution 45/248 B of 21 December 1990, in which the Assembly reaffirmed that the Fifth Committee was the appropriate Main Committee of the General Assembly entrusted with responsibilities for administrative and budgetary matters. The speaker noted that the action required in that paragraph was the convening of a meeting, which was a service that should be covered under the regular budget and be subject to evaluation and approval of the Fifth Committee of the General Assembly.

98. At the same meeting, the Commission recommended to the Economic and Social Council the adoption of a revised draft resolution (E/CN.15/2008/L.9/Rev.1) sponsored by Afghanistan, Australia, Belgium, Guatemala, India, Indonesia, Iran (Islamic Republic of), Japan, Nigeria, the Philippines, Spain and the United States. (For the text, see chapter I, section B, resolution III.)

99. At the same meeting, the Commission adopted a revised draft resolution (E/CN.15/2008/L.6/Rev.3) sponsored by Albania, Algeria, Argentina, Australia, Belarus, Bolivia, Canada, Chile, Colombia, Costa Rica, Croatia, France, Greece, Guatemala, Japan, Kuwait, Mexico, Nigeria, Panama, Peru, the Philippines,

Portugal, the Russian Federation, Saudi Arabia, Serbia, South Africa, Ukraine and the United States. (For the text, see chapter I, section D, resolution 17/1.) Following the adoption of the revised draft resolution, the representative of the United States made a statement in connection with paragraph 8 of the resolution, indicating that the use of the phrase "providing voluntary contributions" was not equivalent to the language previously used by the Commission in reference to the application of extrabudgetary resources for the implementation of activities, and use of that phrase in the resolution should not be understood as such or be seen as constituting a precedent.

Chapter IV

United Nations congresses on crime prevention and criminal justice

100. At its 6th meeting, on 16 April, the Commission on Crime Prevention and Criminal Justice considered agenda item 5, which read as follows:

"United Nations congresses on crime prevention and criminal justice:

"(a) Follow-up to the Eleventh United Nations Congress on Crime Prevention and Criminal Justice;

"(b) Preparations for the Twelfth United Nations Congress on Crime Prevention and Criminal Justice."

101. For its consideration of the item, the Commission had before it the report of the Secretary-General on follow-up to the Eleventh United Nations Congress on Crime Prevention and Criminal Justice and preparations for the Twelfth United Nations Congress on Crime Prevention and Criminal Justice (E/CN.15/2008/14).

102. The Director of the Division for Treaty Affairs made an introductory statement. The Commission also heard statements by the representatives of Brazil, Canada, Indonesia, the Republic of Korea and the United States. The observer for Thailand also made a statement. Statements were also made by the observers for the Asia and Far East Institute for the Prevention of Crime and the Treatment of Offenders, the Asia Crime Prevention Foundation, the World Society of Victimology and the World Federation of United Nations Associations (who spoke also on behalf of the Academic Council on the United Nations System).

A. Deliberations

103. In her introductory statement, the Director of the Division for Treaty Affairs recalled that the Economic and Social Council, in its resolution 2006/26 of 27 July 2006, had reiterated its invitation to Governments to implement the outcome of the Eleventh United Nations Congress on Crime Prevention and Criminal Justice and had requested UNODC to convene an intergovernmental group of experts to accumulate and consider lessons learned from past congresses with a view to developing a methodology for capturing lessons learned for future congresses. She noted that the General Assembly, in its resolution 62/173 of 18 December 2007, had taken note of the report on the meeting of the Intergovernmental Group of Experts on Lessons Learned from United Nations Congresses on Crime Prevention and Criminal Justice held in Bangkok from 15 to 18 August 2006 and had endorsed the conclusions and recommendations of the Group of Experts (E/CN.15/2007/6, paras. 35-47). She also recalled the work of the informal, open-ended working group on preparations for the Twelfth United Nations Congress on Crime Prevention and Criminal Justice. She gave a brief account of the preparations for the Twelfth Congress to be undertaken by the Secretariat, such as the preparations for the regional preparatory meetings and the discussion guide, consultations with the Government of Brazil and the establishment of a UNODC coordination group.

104. The representative of Brazil reported that Salvador, Brazil, had been chosen as the venue of the Twelfth Congress owing to its extensive accommodation, transport

and convention infrastructure, as well as its importance for having been the first capital of Brazil and the fact that it had been included on the World Heritage List. He underlined the importance of identifying possible topics for discussion at the Twelfth Congress and gave a brief account of the preparations made to date by his Government.

105. Several speakers expressed their Governments' appreciation to the Government of Brazil for its decision to act as host to the Twelfth Congress and expressed their Governments' full support to that Government. Several speakers also expressed their Governments' commitment to following up on the outcome of the Eleventh Congress, including the Bangkok Declaration on Synergies and Responses: Strategic Alliances in Crime Prevention and Criminal Justice (General Assembly resolution 60/177, annex), and gave an account of relevant activities carried out by their respective Governments.

106. Several speakers highlighted the importance of addressing specific areas of crime at the Twelfth Congress, such as the emergence and evolution of crime trends, the links between drug trafficking and other forms of organized crime, cybercrime, money-laundering, trafficking in persons and violence against migrant workers. One speaker emphasized the need for the Twelfth Congress to address the situation of victims of crime and noted that the theme for the Congress should provide an opportunity to do so. The observer for the Asia and Far East Institute for the Prevention of Crime and the Treatment of Offenders informed the Commission that the Institute was interested in organizing a workshop on overcrowding in correctional facilities.

107. One speaker expressed the hope that the framework developed by the Intergovernmental Group of Experts on Lessons Learned from United Nations Congresses on Crime Prevention and Criminal Justice would be utilized in the preparation of future congresses. Two speakers noted that at future congresses a limited number of agenda items should be selected in order to ensure in-depth consideration of each item. One of those speakers urged the Commission to follow the recommendations issuing from the meeting of the Group of Experts held in Bangkok in 2006 and limit the number of agenda items to six. One speaker invited the institutes of the United Nations Crime Prevention and Criminal Justice Programme network to express any interest they might have in organizing workshops, urged the Secretariat to finalize the discussion guide as soon as possible and requested non-governmental organizations to consider how they could contribute to the Congress.

B. Action taken by the Commission

108. At its 10th meeting, on 18 April, the Commission recommended to the Economic and Social Council the approval of a revised draft resolution for adoption by the General Assembly (E/CN.15/2008/L.7/Rev.1) sponsored by Afghanistan, Albania, Argentina, Brazil, Canada, Chile, Colombia, Costa Rica, Guatemala, India, Japan, Kuwait, Morocco, Peru, the Russian Federation, Thailand and Venezuela (Bolivarian Republic of). (For the text, see chapter I, section A.) Before the approval of the revised draft resolution, a representative of the Secretariat read out a financial statement. (For the text, see annex IV.)

Chapter V

Use and application of United Nations standards and norms in crime prevention and criminal justice

109. At its 7th meeting, on 17 April, the Commission considered agenda item 6, entitled: "Use and application of United Nations standards and norms in crime prevention and criminal justice". For its consideration of the item, the Commission had before it the following documents:

(a) Report of the Executive Director on the activities of the United Nations Office on Drugs and Crime (E/CN.7/2008/3-E/CN.15/2008/3);

(b) Report of the Secretary-General on implementation of the Guidelines on Justice in Matters involving Child Victims and Witnesses of Crime (E/CN.15/2008/11);

(c) Report of the Secretary-General on strengthening justice, integrity and the rule of law through technical assistance in developing, transitional and post-conflict societies, with a focus on Africa (E/CN.15/2008/12).

110. The Chief of the Treaty and Legal Assistance Branch of the Division for Treaty Affairs made an introductory statement. The Commission also heard statements by the representatives of Canada, Germany, Moldova, Nigeria, the Russian Federation and the United States. The observers for Slovenia (on behalf of the European Union and Albania, Bosnia and Herzegovina, Croatia, Montenegro, Serbia, the former Yugoslav Republic of Macedonia, Turkey and Ukraine, as well as Norway) and Thailand also made statements. The observers for Defence for Children International (on behalf of the International Association of Youth and Family Judges and Magistrates, the International Juvenile Justice Observatory, Penal Reform International, Terre des Hommes Foundation, the World Organisation against Torture, the Office of the United Nations High Commissioner for Human Rights and the United Nations Children's Fund), the International Commission for Catholic Prison Pastoral Care and the Japan Federation of Bar Associations also made statements.

A. Deliberations

111. The representative of the Secretariat informed the Commission that the analysis of the information provided by Member States indicated that most of those States had taken measures to implement the Guidelines on Justice in Matters involving Child Victims and Witnesses of Crime (Economic and Social Council resolution 2005/20, annex). The analysis indicated that successful protection plans for child victims and witnesses of crime included the following: (a) establishing special courts or special governmental agencies run by specialized personnel; (b) establishing measures requiring interviews and examinations of child victims and witnesses to be conducted by trained personnel and in a suitable environment; and (c) the use of in camera proceedings in order to protect the privacy and identity of children.

112. The representative referred to the technical activities undertaken by UNODC to assist Member States in the use and application of the United Nations standards and norms and the tools produced for criminal justice practitioners and policymakers, including how the Office had applied the United Nations standards and norms in crime prevention and criminal justice to implement technical assistance in the areas of justice reform and the integrity of criminal justice institutions. He drew the attention of the Commission to conclusions that could be drawn from the experience of UNODC.

113. Several speakers welcomed the work of UNODC in providing operational tools and technical assistance to Member States in the area of criminal justice and crime prevention. In particular, the criminal justice assessment toolkit was seen as an essential tool for policymakers and professionals throughout the world to use in applying United Nations standards and norms. Speakers highlighted the strengthened role of the Commission and of UNODC in implementing United Nations standards and norms in peacekeeping, development and post-conflict reconstruction through capacity-building and judicial reform efforts by strengthening the rule of law and good governance, in particular in the framework of the One United Nations initiative.

114. Several speakers stressed the important role that the United Nations standards and norms in crime prevention and criminal justice played in the global effort to address crime prevention and criminal justice issues and as a point of reference for legislators and practitioners. Their role in providing information on best practices and in developing a coordinated response to crime-related problems was commended. One speaker drew the attention of the Commission to the fact that the United Nations standards and norms provided the same clear guidance as legally binding instruments and highlighted that their non-binding nature made them easier and less costly to develop and update.

115. Some speakers underlined the role and renewed importance that the United Nations standards and norms in crime prevention and criminal justice had assumed in promoting and strengthening work on the rule of law, security sector reform and good governance, particularly in States in transitional or post-conflict situations. Commending the work recently undertaken by UNODC in that regard, they stressed the need to progress further in implementing existing standards and norms and to identify innovative approaches and new areas where international standards and norms could be applied. In addition, Member States were encouraged to harmonize national legislation with the relevant standards and norms and to share successful practices on the implementation of such instruments.

116. Some speakers recalled specific key areas, such as the prevention of violence against women, crime prevention and the treatment of prisoners, in which the United Nations standards and norms had provided and could continue to provide a solid foundation for States in reforming their criminal justice systems, making them fairer, more efficient and more effective. Echoing the words of the Secretary-General in his report to the Security Council on the rule of law and transitional justice in conflict and post-conflict societies (S/2004/616), one representative stressed the relevance and centrality of crime prevention as the first imperative of justice. In that regard, the representative encouraged Member States to undertake a special effort to make crime prevention work and called for the development of technical tools, particularly in the area of urban crime, to put into

practice the Guidelines for the Prevention of Crime (Economic and Social Council resolution 2002/13, annex).

117. Several speakers highlighted how the existence and acceptance of common standards and norms provided a foundation for more effective cooperation in criminal justice matters. In particular, it was noted how international cooperation in crucial areas, such as police cooperation, including the exchange of information between law enforcement agencies and cross-border surveillance, and judicial cooperation, including mutual legal assistance and the extradition and transfer of prisoners, would not have been possible without a common understanding and acceptance of the underlying standards and norms for the criminal justice process. One speaker indicated that, despite the undeniable progress made, problems remained and that there was a need to strengthen and improve international cooperation in criminal justice matters. In that connection, the speaker recalled the relevance and importance of the European Convention on Mutual Assistance in Criminal Matters[41] and invited UNODC to study the matter further with a view to proposing practical solutions.

118. Some speakers expressed support for the periodic review by the Commission of the use and application of those United Nations standards and norms as a means of exchanging information on the implementation of those instruments and making further progress in that regard. It was recognized that the work of collecting and analysing data posed a major challenge both for Member States and for the Secretariat. The importance and usefulness of operating with a knowledge base was stressed, as was the need for further consultation on best practices in data collection. One speaker indicated that the quality of the data gathered by UNODC was a crucial consideration and suggested that the Commission should consider reconvening the open-ended intergovernmental expert group on ways and means to improve crime data collection, research and analysis, which had met in 2006.

119. Some speakers reported on measures taken at the national level to implement United Nations standards and norms, particularly in the areas of the prevention of violence against women, restorative justice, crime prevention and reduction, penal reform, the reform and strengthening of the judiciary, victim support and juvenile justice.

120. Several speakers indicated that the Guidelines on Justice in Matters involving Child Victims and Witnesses of Crime represented an important set of standards for the protection of human rights. One speaker stated that the right to be treated with dignity and compassion, the right to be protected from discrimination and the right to be protected from hardship during the justice process constituted the basis of a fair trial. Member States were encouraged to implement the Guidelines in their national legislation, paying special attention to the preparation of children for their role as witnesses and to the possibility of using audio-visual means for children to provide testimony. Member States were also encouraged to share information and expertise that they might have in that area and were reminded of the importance of reporting periodically on the status of implementation of the Guidelines, including on difficulties that might have hindered their implementation.

[41] United Nations, *Treaty Series*, vol. 472, No. 6841.

121. One speaker stressed the need to provide technical, material and financial assistance to developing countries and to countries in post-conflict situations in order to assist in the implementation of the Guidelines. It was suggested that the Guidelines should be translated into languages in addition to the six official languages of the United Nations. In that regard, it was noted more generally that the utilization of the United Nations standards and norms by Government officials, lawyers, staff of non-governmental organizations and citizens could be increased by translating the standards and norms into additional languages. One speaker urged Member States to translate relevant standards and norms into their national languages.

122. One speaker outlined the successful results of five years of programmes in the area of human rights and the rule of law, which, with the support of UNODC and other partners, had led to considerably modernized judiciaries that served as models for other States. Results included decreased use of pretrial detention, increased trust in the judiciary and improved case-flow management.

123. Reference was made to the importance of adopting comprehensive national action plans on crime prevention and child justice reform containing, in particular, specific targets with regard to decreasing the pretrial detention and imprisonment of children, including through the use of diversion, restorative justice and alternatives to imprisonment and ensuring proper detention conditions. In connection with violence against children in conflict with the law, attention was drawn to the recommendations contained in the report of the independent expert for the United Nations study on violence against children (A/61/299) and the *World Report on Violence against Children*.[42]

124. Concern was expressed about the overuse of sentencing, in particular because conditions in prisons were often not conducive to rehabilitation. It was highlighted that mental health and education and rehabilitation programmes in prisons often were unsuccessful owing to the security situation in the prison or to overcrowding.

B. Action taken by the Commission

125. At its 10th meeting, on 18 April, a statement was made by a representative of the Secretariat in connection with a draft resolution submitted by the United Arab Emirates (E/CN.15/2008/L.4), which the Committee of the Whole had considered that week. The Commission was informed that the sponsor intended to conduct informal consultations with a view to submitting a draft resolution to the Commission at its eighteenth session.

126. At the same meeting, the Commission recommended to the Economic and Social Council the adoption of a revised draft resolution (E/CN.15/2008/L.8/Rev.1) sponsored by Brazil, Canada, Cape Verde, Chile, China, the Czech Republic, the Dominican Republic, Guatemala, Portugal, Switzerland and Ukraine. (For the text, see chapter I, section B, resolution II.)

127. At the same meeting, the Commission adopted a revised draft resolution (E/CN.15/2008/L.10/Rev.2) sponsored by Afghanistan, Albania, Argentina, Canada,

[42] Paulo Sérgio Pinheiro, *World Report on Violence against Children* (Geneva, United Nations Secretary-General's Study on Violence against Children, 2006).

Chile, Croatia, Greece, Guatemala, Kuwait, Nigeria, Portugal, Serbia, Slovenia (on behalf of the European Union), South Africa, Uganda, Ukraine and the United States. (For the text, see chapter I, section D, resolution 17/2). Prior to the adoption of the revised draft resolution, a representative of the Secretariat read out a financial statement. (For the text, see annex V.)

Chapter VI

Policy directives for the crime programme of the United Nations Office on Drugs and Crime and the role of the Commission on Crime Prevention and Criminal Justice as its governing body, including administrative, strategic management and budgetary questions

128. At its 7th meeting, on 17 April, the Commission considered agenda item 7, entitled "Policy directives for the crime programme of the United Nations Office on Drugs and Crime and the role of the Commission on Crime Prevention and Criminal Justice as its governing body, including administrative, strategic management and budgetary questions".

129. For its consideration of the agenda item, the Commission had before it the following documents:

(a) Report of the Executive Director on the activities of the United Nations Office on Drugs and Crime (E/CN.7/2008/3-E/CN.15/2008/3);

(b) Note by the Secretary-General transmitting the report of the Board of Trustees of the United Nations Interregional Crime and Justice Research Institute (E/CN.15/2008/13);

(c) Report of the Executive Director on financial issues and difficulties faced by the United Nations Office on Drugs and Crime in implementing its mandates and an initial assessment of the ways and means of improving the financial situation (E/CN.7/2008/11-E/CN.15/2008/15);

(d) Report of the Executive Director on programmes and initiatives to be implemented by the United Nations Office on Drugs and Crime in the bienniums 2008-2009 and 2010-2011 (E/CN.7/2008/12-E/CN.15/2008/16);

(e) Note by the Secretary-General on the nomination of members of the Board of Trustees of the United Nations Interregional Crime and Justice Research Institute (E/CN.15/2008/17);

(f) Note by the Secretariat on resolutions and decisions relating to crime prevention and criminal justice adopted in the period 2003-2007 in which action by the United Nations Office on Drugs and Crime was requested (E/CN.15/2008/18);

(g) Report of the Executive Director on deviations from the standard programme support charge of 13 per cent during the period 2005-2007 (E/CN.7/2008/14-E/CN.15/2008/19);

(h) Proposed strategic framework for the period 2010-2011: part two; biennial programme plan, Programme 13 (A/63/6 (Prog. 13)).

130. The Chairman of the Commission made a statement. An introductory statement was made by the Officer-in-Charge of the Division for Policy Analysis and Public Affairs. A representative of the Secretariat also made a statement. Statements were made by the observer for Slovenia (on behalf of the European Union and Albania, Bosnia and Herzegovina, Croatia, Moldova, Montenegro, Serbia, the former Yugoslav Republic of Macedonia, Turkey and Ukraine, as well as Liechtenstein and

Norway) and the representatives of Canada, Japan and the United States. A statement was also made by the observer for Mexico. The observer for the European Commission also made a statement.

A. Deliberations

131. Following an introductory statement made by the Chairman of the Commission, the Commission considered the nomination of two candidates proposed for reappointment and appointment to the Board of Trustees of the United Nations Interregional Crime and Justice Research Institute.

132. In his introductory statement, the Officer-in-Charge of the Division for Policy Analysis and Public Affairs highlighted the efforts made by UNODC to harmonize the strategy for the period 2008-2011 for the United Nations Office on Drugs and Crime with Secretariat-wide tools such as the biennial programme plan for the period 2010-2011 and the consolidated budget for the biennium 2008-2009. He pointed out that the consolidated budget approved by the Commission on Narcotic Drugs at its reconvened fiftieth session and by the Commission on Crime Prevention and Criminal Justice at its reconvened sixteenth session, in November 2007, had been the first step towards ensuring that the results and result areas identified in the strategy for the period 2008-2011 were measurable and had corresponding indicators of achievement. He introduced the proposed biennial programme plan (A/63/6 (Prog. 13)), highlighting the fact that the strategy for the period 2008-2011 articulated the mandated tasks of UNODC into three themes, namely the rule of law, policy and trend analysis, and prevention, treatment, reintegration and alternative development, while the strategic framework and the consolidated budget were closely tied to an approved UNODC organizational structure and linked with resource allocation. He introduced the report of the Executive Director on the activities of the United Nations Office on Drugs and Crime (E/CN.7/2008/3-E/CN.15/2008/3) and the report of the Executive Director on programmes and initiatives to be implemented by the United Nations Office on Drugs and Crime in the bienniums 2008-2009 and 2010-2011 (E/CN.7/2008/12-E/CN.15/2008/16).

133. Another representative of the Secretariat explained that few if any United Nations programmes had a budget and funding structure as fragmented as that of UNODC. Despite an integrated programme of work, UNODC had separate voluntary funds for the drug programme and the crime programme, with their budgets approved by different commissions. Yet, the General Assembly approved an integrated regular budget for the drug programme and the crime programme. Each voluntary fund had three further components: general-purpose or non-earmarked funds; special-purpose or earmarked funds; and programme support charges on the special-purpose funds. The level of non-earmarked contributions did not match the requirements of UNODC, especially as regards the field office network. Regular budget and general-purpose resources were not sufficient to secure implementation of programmes and the sustainability of UNODC activities implemented with special-purpose resources. While earmarked voluntary contributions had grown considerably, which could be viewed as reflecting confidence in the programme, regular budget resources had remained static in absolute terms and non-earmarked funds had declined. Thus, the issue was not the overall funding level, which was buoyant, but the funding mix. The absolute and relative decline in general-purpose

funds and the limited donor base had created special challenges. The report of the Executive Director on financial issues and difficulties faced by the United Nations Office on Drugs and Crime in implementing its mandates and an initial assessment of the ways and means of improving the financial situation (E/CN.7/2008/11-E/CN.15/2008/15) contained, for consideration by the Commission, a number of options on how to address those challenges, including the establishment of an open-ended intergovernmental working group to assess the situation and to chart the way forward.

134. Several representatives noted the integrated approach portrayed in UNODC strategic documents, stressing that an even more integrated approach was required to address the increasing links between organized crime.

135. Crime prevention was mentioned by several speakers as being a key area of focus deserving full attention. In particular, reference was made to strengthening the prevention of organized crime and corruption, the development of systems of reliable crime statistics and the improvement of knowledge of organized crime.

136. Speakers welcomed the efforts by UNODC to institute result-based management and the work of its Independent Evaluation Unit. They stressed the need to continue efforts to reform UNODC management and governance, in particular those aimed at enhancing efficiency, transparency and accountability. They expressed continued support for project cycle management initiatives undertaken by UNODC. It was stated that successful implementation of those initiatives would lead to a result-oriented culture in UNODC.

137. UNODC was encouraged to utilize the strategy for the period 2008-2011 as a programming guide. One speaker suggested that the strategy should be used to streamline the project portfolio, reducing the number of small projects and programmes having limited impact. Another speaker urged UNODC to focus its programme assistance on areas where it had a comparative advantage. The speaker also expressed an interest in proposals to develop an updated global resource mobilization strategy. Speakers generally welcomed the efforts of UNODC to implement the strategy, asking that projects and programmes be related to the concrete results identified in the strategy for the period 2008-2011, within clearly defined time frames and using performance indicators. They further asked that adequate attention be paid to strengthening knowledge management, coordination and strategic partnerships. One speaker noted the recently developed partnership between UNODC and the United Nations Fund for International Partnership and asked for more information on that agreement. The need to design an implementation plan in line with the strategy was underlined.

138. Support was expressed for the establishment of an open-ended intergovernmental working group to improve the governance structure and financial situation of UNODC, similar to what had been decided by the Commission on Narcotic Drugs at its fifty-first session. Reference was made to a number of areas that such a working group could focus on.

139. The observer for Slovenia, speaking on behalf of the European Union, indicated that UNODC partnerships with other United Nations entities could contribute to system-wide coherence, in the context of the current United Nations reform process.

140. Several speakers underlined the importance for the Commission on Crime Prevention and Criminal Justice, in its role as a governing body of UNODC, of giving policy guidance to the crime programme of UNODC and of monitoring its activities, a role that had not always been fulfilled. One speaker expressed support for the work of the United Nations Interregional Crime Research Institute and encouraged continued cooperation between UNODC and the Institute.

141. One representative indicated that UNODC should ensure that any activities related to emerging policy issues with respect to countering crime focused on the nexus with the Organized Crime Convention and the Convention against Corruption and that Member States were properly consulted concerning the development of new initiatives to raise the profile of those two conventions and the protocols to the Organized Crime Convention and that that should take place in consultation with the conferences of the parties to those conventions. In that connection, another speaker noted that an in-depth discussion was required to ensure proper follow-up to the momentum generated by the Global Initiative to Fight Human Trafficking.

142. A number of speakers expressed concern with regard to UNODC mandates that remained unfulfilled, as documented in the note by the Secretariat on resolutions and decisions relating to crime prevention and criminal justice adopted in the period 2003-2007 in which action by the United Nations Office on Drugs and Crime was requested (E/CN.15/2008/18).

143. One speaker, commenting on the organization of the sessions of the Commission, noted, among other things, that the Commission decided at each session on the agenda items and topics for the thematic discussion for its next session and that the time allotted for the pre-session consultations should be fully utilized by the Commission. She emphasized that the Member States should abide by the earlier decision of the Commission that draft resolutions should be submitted well in advance, allowing representatives adequate time for consultation with their Governments. She urged Member States to include in their delegations experts who were in a position to contribute substantively to the work of the Commission and were empowered to make decisions.

144. One speaker expressed concern about the lower priority that UNODC seemed to be according East and South-East Asia and expressed the hope that activities in that region would be stepped up.

145. Several representatives sympathized with the plight of UNODC in seeking predictable and stable resources and welcomed the creation of an open-ended intergovernmental working group on those issues. It was important for UNODC to receive adequate funding, including general-purpose contributions. The allocation of less than 1 per cent of the regular budget of the United Nations to UNODC made the activities of UNODC overly dependent on earmarked voluntary contributions. One speaker noted that enhanced transparency of finances would improve the efficiency of UNODC programmes and could result in UNODC receiving increased allocations from the regular budget of the United Nations. One speaker expressed concern about the indicative funding model being proposed as one of the options for consideration by the Commission in the report of the Executive Director (E/CN.7/2008/11-E/CN.15/2008/15) and stressed that voluntary contributions should remain voluntary. Another speaker shared that concern and expressed the hope that general-purpose contributions, which his Government had been

contributing in large measure over the years, would also allow sufficient funding for field offices, including in East and South-East Asia.

146. Another speaker expressed the view that the UNODC funding model was not working and that a number of mandates remained unfulfilled. She suggested prioritizing mandates and requesting the Fifth Committee and the Advisory Committee on Administrative and Budgetary Questions to find a solution for the financial predicament of UNODC. Consideration should also be given to the concept of pooled funding and keeping a percentage of total contributions for general purposes. The indicative funding model, however, required further consideration and the idea of a pledging conference for general-purpose funds did not appear feasible, as such conferences were more appropriate for crisis and emergency situations.

147. One speaker noted with interest the idea of the Commission on Narcotic Drugs and the Commission on Crime Prevention and Criminal Justice holding joint sessions to review the consolidated budget and viewed that as a way to decrease the burden on the Secretariat and free resources for other meetings.

B. Action taken by the Commission

148. At its 8th meeting, on 17 April, the Commission recommended to the Economic and Social Council the adoption of a draft decision on appointments to the Board of Trustees of the United Nations Interregional Crime and Justice Research Institute. (For the text of the draft decision, see chapter I, section C, draft decision II.)

149. At its 10th meeting, on 18 April, the Commission adopted a draft decision (E/CN.15/2008/L.5) sponsored by Albania, Croatia, Norway, Pakistan (on behalf of the Group of 77 and China), Serbia and Slovenia (on behalf of the European Union). (For the text of the draft decision, see chapter I, section D, decision 17/2.) Prior to the adoption of the draft decision, a representative of the Secretariat read out a financial statement. (For the text, see annex VI.)

Chapter VII

Provisional agenda for the eighteenth session of the Commission

150. At its 8th and 9th meetings, on 17 and 18 April, the Commission considered agenda item 8, entitled "Provisional agenda for the eighteenth session". For its consideration of the item, the Commission had before it a revised draft decision submitted by the Chairman on the report of the Commission on its seventeenth session and provisional agenda and documentation for its eighteenth session (E/CN.15/2008/L.11/Rev.1).

151. The Chairman of the Commission made a statement. The representatives of Argentina, Bolivia, Brazil, Canada, Chile, China, Croatia, Guatemala, India, Iran (Islamic Republic of), Italy, Japan, Namibia, Nigeria, Pakistan, the Russian Federation, Saudi Arabia and the United States made statements. Statements were also made by the observers for Algeria, Australia, Cuba, Morocco, Slovenia (on behalf of the European Union) and Tunisia.

A. Deliberations

152. In his introductory statement, the Chairman drew attention to the topics for the thematic discussion of the eighteenth session that were proposed at the sixteenth session of the Commission, as well as a proposed amendment to the title of one item of the agenda that had been put forward at the informal pre-session consultations held on 11 April and further discussed at the meetings of the extended Bureau held on 15 and 17 April.

153. It was noted that, at its annual sessions, the Commission took a decision on the approval of the provisional agenda for its forthcoming session, including a decision on the topic of the thematic discussion. In considering that decision, the Commission would benefit from the contributions of experts provided by Member States. In that context, it was noted that in the past, when the Commission had failed to reach consensus on the topic for the thematic discussion of the following session, the Commission had, as a last recourse, commended that task to its members at the intersessional meetings.

154. It was also noted that a discussion guide should be prepared, when it was required, to guide delegations in preparing for the thematic discussion, provide background information on the topics and highlight relevant sub-topics to be addressed in the thematic discussion. It was further noted that, to the extent it was feasible, the discussion guide should be made available in the working languages of the Commission and should include, as an annex, the arrangements for the thematic discussion that had been used at recent sessions of the Commission.

155. It was emphasized that taking a decision on the topics of the thematic discussion at the preceding session of the Commission would enable delegations to fully prepare for the discussion and would facilitate the selection of panellists to lead the discussion, as that selection had to be made well in advance of the session.

156. The Commission discussed the two topics that had been proposed for the thematic discussion at its eighteenth session: "Economic fraud and identity-related crime" and "Penal reform and reduction of prison overcrowding, including the provision of legal aid in criminal justice systems". One speaker suggested two sub-themes for the thematic discussion on "Economic fraud and identity-related crime": "The global nature and extent of economic fraud and identity-related crime" and "The relationship between identity-related crime and other crimes".

157. It was determined that at the eighteenth session of the Commission, there would be two thematic discussions, on the two topics proposed at the sixteenth session, each having a duration of one day (two meetings each). Since that would leave less time for some of the other agenda items, it was agreed that, in particular, interventions by delegations under item 4 of the provisional agenda, entitled "World crime trends and responses: integration and coordination of efforts by the United Nations Office on Drugs and Crime and by Member States in the field of crime prevention and criminal justice", should strictly focus on the most significant developments over the previous year and not recapitulate the history and future of the matters to be considered under the agenda item and its sub-items.

158. Several speakers noted that transnational organized crime, corruption and terrorism could not be addressed by Member States alone and that item 4 of the provisional agenda should be amended to reflect that, in particular with respect to the role played by the institutes of the United Nations Crime Prevention and Criminal Justice Programme network as well as the contributions made by civil society organizations and academia.

B. Action taken by the Commission

159. At its 9th meeting, on 18 April, the Commission recommended to the Economic and Social Council the adoption of a draft decision (E/CN.15/2008/L.11/Rev.1). (For the text, see chapter I, section C, draft decision I.)

Chapter VIII

Adoption of the report of the Commission on its seventeenth session

160. At its 10th meeting, on 18 April, the Commission adopted by consensus the report on its seventeenth session (E/CN.15/2008/L.1 and Add.1-5), as orally amended.

Chapter IX

Organization of the session

A. Informal pre-session consultations

161. At its reconvened sixteenth session, held on 29 and 30 November 2007, the Commission decided that its seventeenth session would be preceded by one day of informal pre-session consultations, to be held on Friday, 11 April 2008, to consult on draft resolutions made available in advance and to review other matters arising from the draft provisional agenda of the session.

162. One meeting of informal pre-session consultations, chaired by the First Vice-Chairman designate of the Commission, Victor Postolachi (Moldova), was held on 11 April 2008. At the meeting, participants considered organizational arrangements and the draft programme of work of the seventeenth session of the Commission, including arrangements for the thematic discussion, and conducted a preliminary review of draft resolutions that had been made available in advance of and at the meeting. It also conducted preliminary consultations on the draft provisional agenda for the eighteenth session of the Commission, potential topics for the thematic discussion at that session, preparations for the Twelfth United Nations Congress on Crime Prevention and Criminal Justice, for which the Commission acts as the preparatory body, and other substantive matters relating to items of the provisional agenda of the Commission.

B. Opening and duration of the session

163. The Commission on Crime Prevention and Criminal Justice held its seventeenth session in Vienna from 14 to 18 April 2008. The Commission held 10 meetings. The Chairman of the Commission opened the session and delivered an opening statement. The Executive Director of UNODC made an opening statement. At its opening meeting, the Commission was also addressed by the observer for Malaysia (on behalf of the Group of 77 and China), the representative of the Sudan (on behalf of the Group of African States), the representative of the Islamic Republic of Iran (on behalf of the Group of Asian States), the representative of Argentina (on behalf of the Group of Latin American and Caribbean States), the observer for Slovenia (on behalf of the European Union and Albania, Bosnia and Herzegovina, Croatia, Moldova, Montenegro, Serbia, the former Yugoslav Republic of Macedonia, Turkey and Ukraine, as well as Liechtenstein and Norway). The Commission also heard opening statements by the Minister of Justice of Burkina Faso, the Minister of Justice of Chad, the Minister of Justice of Guinea, the Minister of Justice of Mali, the Minister of Justice of Togo, Princess Bajrakitiyabha Mahidol of Thailand, the Minister of Justice of Cape Verde, the Minister of the Interior, Public Security and Decentralization of the Niger and the Deputy Prosecutor General of Japan. At the 3rd meeting of the Commission, on 15 April, the Minister of Justice of Ghana made an opening statement.

C. Attendance

164. The seventeenth session was attended by representatives of 36 States members of the Commission. Also attending were observers for 80 other States Members of the United Nations and 1 non-member State. Palestine was represented by an observer. Representatives of 21 entities of the United Nations system and observers for the institutes of the United Nations Crime Prevention and Criminal Justice Programme network, 14 intergovernmental organizations and 40 non-governmental organizations in consultative status with the Economic and Social Council also attended. A list of participants is contained in annex I to the present report.

D. Election of officers

165. The Chairman of the Commission recalled that the Economic and Social Council, in its resolution 2003/31 of 22 July 2003, entitled "Functioning of the Commission on Crime Prevention and Criminal Justice", had decided that, with effect from 2004, the Commission should, at the end of its session, elect its bureau for the subsequent session and encourage it to play an active role in the preparation of the regular as well as the informal intersessional meetings of the Commission.

166. In accordance with Economic and Social Council resolution 2003/31 and rule 15 of the rules of procedure of the functional commissions of the Economic and Social Council, immediately following the closure of its reconvened sixteenth session, on 30 November 2007, the Commission held a meeting of the seventeenth session for the sole purpose of electing the new chairman and other members of the bureau. On that occasion, the Commission elected as its second Vice-Chairman Luis Alberto Padilla (Guatemala), as its third Vice-Chairman Thomas Stelzer (Austria) and as its Rapporteur Spica Tutuhatunewa (Indonesia).

167. During the intersessional period, the Group of African States nominated Kenjika Linus Ekedede (Nigeria) for the post of Chairman, and the Group of Eastern European States nominated Victor Postolachi (Moldova) for the post of First Vice-Chairman. Also during the intersessional period, because the elected third Vice-Chairman became unavailable, the Group of Western European and other States nominated Marie Gervais-Vidricaire (Canada) for the post of third Vice-Chairperson.

168. At its opening meeting, on 14 April, in accordance with rule 19 of the rules of procedure of the functional commissions of the Economic and Social Council, the Commission elected the following bureau for the seventeenth session:

Chairman:	Kenjika Linus Ekedede (Nigeria)
First Vice-Chairman:	Victor Postolachi (Moldova)
Second Vice-Chairman:	Luis Alberto Padilla (Guatemala)
Third Vice-Chairperson:	Marie Gervais-Vidricaire (Canada)
Rapporteur:	Spica Tutuhatunewa (Indonesia)

169. A group composed of the chairmen of the five regional groups (the representatives of the Islamic Republic of Iran and Argentina and the observers for the Sudan, Georgia and Sweden, as well as the representative of Pakistan (on behalf

of the Group of 77 and China) and the observer for Slovenia (on behalf of the European Union), was established to assist the Chairman of the Commission in dealing with organizational matters. That group, together with the elected officers, constituted the extended bureau foreseen in Economic and Social Council resolution 2003/31. During the seventeenth session of the Commission, the extended bureau met on 15, 17 and 18 April to consider matters related to the organization of work.

E. Adoption of the agenda and organization of work

170. At its 1st meeting, on 14 April, the Commission adopted by consensus its provisional agenda (E/CN.15/2008/1), which had been approved by the Economic and Social Council in its decision 2007/251. The Commission also adopted by consensus the annotations to the provisional agenda and its organization of work, contained in the same document. The agenda was as follows:

1. Election of officers.

2. Adoption of the agenda and organization of work.

3. Thematic discussion on aspects of violence against women that pertain directly to the Commission on Crime Prevention and Criminal Justice.

4. World crime trends and responses: integration and coordination of efforts by the United Nations Office on Drugs and Crime and by Member States in the field of crime prevention and criminal justice:

   (a) Work of the United Nations Office on Drugs and Crime in facilitating the ratification and implementation of the United Nations Convention against Transnational Organized Crime;

   (b) Work of the United Nations Office on Drugs and Crime in facilitating the ratification and implementation of the United Nations Convention against Corruption;

   (c) Work of the United Nations Office on Drugs and Crime in facilitating the ratification and implementation of the international instruments to prevent and combat terrorism;

   (d) Other activities in support of the work of the United Nations Office on Drugs and Crime.

5. United Nations congresses on crime prevention and criminal justice:

   (a) Follow-up to the Eleventh United Nations Congress on Crime Prevention and Criminal Justice;

   (b) Preparations for the Twelfth United Nations Congress on Crime Prevention and Criminal Justice.

6. Use and application of United Nations standards and norms in crime prevention and criminal justice.

7. Policy directives for the crime programme of the United Nations Office on Drugs and Crime and the role of the Commission on Crime Prevention and Criminal Justice as its governing body, including administrative, strategic management and budgetary questions.

8. Provisional agenda for the eighteenth session.

9. Other business.

10. Adoption of the report of the Commission on its seventeenth session.

F. Documentation

171. The documents before the Commission at its seventeenth session are listed in annex VII to the present report.

G. Closure of the session

172. At its 10th meeting, on 18 April, the Chairman of the Commission made a closing statement.

Annex I

Attendance

Members*

Argentina	Eugenio María Curia, Ariel Walter González, Nicolás Rantica
Armenia	Vardan Muradyan, Arthur Hovhannisyan
Austria	Gabriela Sellner, Johann Brieger, Regina Rusz, Claudia Reinprecht, Günther Sablattnig, Anita Zielowski, Roland Linzatti, Georg Reibmayr, Romana Fritz
Bolivia	Celima Torrico Rojas, Horacio Bazoberry, Iván Morales, María Lourdes Espinoza Patiño, Paul Marca Paco, Julio Lázaro Mollinedo Claros
Brazil	Julio Cezar Zelner Gonçalves, Romeu Tuma Júnior, Virgínia Toniatti, Fernando de Mello Vidal, Marconi Costa Melo, Sonja Valle Pio Corrêa, Luís Alexandre Iansen de Sant'ana, Renato Barros de Aguiar Leonardi, Clarissa Forecchi, Paulo de Tasro Resende Paniago, Rosinete de Santana Barbosa Pinto, Carolina Thaís Patriota da Silva Martins, Rodrigo Carneiro Gomes
Canada	Lucie Angers, Marie Gervais-Vidricaire, Christopher Ram, Jean-François Noel, Kim Cowan, Mary-Anne Kirvan, Terry Wood, David Nelson, Holly Johnson, Richard Starck
Chile	Milenko Skoknic Tapia, Eduardo Schott Stolzenbach, Paula Urzúa Frei, Ignacio Castillo Val, Marcela Neira Vallejos, Eric Gajardo Vistoso, Rosa Meléndez Jiménez, Héctor Muñoz Montecinos, Rodrigo Bustos Bottai
China	Tang Guoqiang, Guo Jian'an, Jia Guide, Sun Yong, Chen Min, Zhou Yong, Zhang Jian, Hu Yunyun, Wu Chunali
Colombia	Rosso José Serrano Cadena, Francisco Javier Ricaurte Gómez, Sigifredo de Jesús Espinoza Pérez, Julián Hipolito Pinto Galvis
Costa Rica	Ana Teresa Dengo Benavides, Lydia Peralta Cordero, Carol Viviana Arce Echeverría
Democratic Republic of the Congo	Claude Bazibuhe Nyamugabo, Malere Mudegereza
Germany	Peter Gottwald, Otto Boenke, Birgit Schweikert, Axel Kuechle, Nicole Zuendorf-Hinte, Martina Hackelberg, Klaus Aldinger, Suzan Arici, Constance Koitzsch, Joerg Vogelmann

* Cameroon, Comoros, Jamaica and Sierra Leone were not represented at the session.

Guatemala	Luis Alberto Padilla Menendez, Leticia Stella Secaira Pinto, Beatriz de León Reyes de Barreda, Hilda Morales Trujillo, Blanca Aída Stalling, Cristina Azurdía, Sandra Noriega Urizar, Sylvia Wohlers
India	Saurabh Kumar, N. S. Kalsi, R.K.S. Joshi, Paramasivan Kandaswamy, Anita Punj
Indonesia	Triyono Wibono, Salman Al Farisi, Yuyu Rahayu, Awriya Ibrahim, H. Parman Soeparman, Ridwan Mansur, Maruap D. Pasaribu, Edward Simarmata, Andhika Chrisnayudhanto, Listyowati, Said Imran, Spica A. Tutuhatunewa, Elsa Miranda, Robianto Koestomo, Budi Kristiar, Gardina Kartasasmita,
Iran (Islamic Republic of)	Hossein Panahi Azar, Ali Hajigholam Saryazdi, Seyed Ali Mousavi
Italy	Gianni Ghisi, Massimo Branciforte, Fabrizio Gandini, Federico Prato, Antonio Laudati, Mario De Ioris, Giovanni Cangelosi, Isabella Periotto
Japan	Haruo Kasama, Shigeki Sumi, Hiroshi Inoue, Satoko Ikeda, Shintaro Sekiguchi, Yoshiko Nakanishi, Shingo Nakagawa, Keiichi Aizawa, Junichiro Otani, Naoyuki Yasuda, Katsutoshi Ishikawa
Libyan Arab Jamahiriya	Omar A. Zwei, Abdallah M. Shaaban, Thuraya A. H. Alwarfally
Moldova	Vitalie Pîrlog, Victor Postolachi, Diana Scobioală
Namibia	Selma Ashipala-Musavyi, Issaskar V. K. Ndjoze, Godfried Khariseb, Lena Kangandjera, Pendapala Naanda, Pule Diamonds
Niger	Albadé Abouba, Mamadou Dagra, Adani Illo, Wafy Abdallah, Mamadou Arbancano, Idrissa Daouda Karidio, Ibrahim Bagadoma, Maiga Morou Zeinabou Labo
Nigeria	Jerry Sonny Ugokwe, L. K. Ekedede, Carol Ndaguba, Olawale Maiyegun, Oluwagbemisola Olufunke Ajibade, U. S. Haruna, Mohammed Babandede, Benedicta Nkiru Ojugbana, E. O. Oguntuyi
Pakistan	Shahbaz, Malik Tahir Sarfaraz Awan, Ishtiak Ahmed Akil, Muhammad Usman Iqbal Jadoon
Republic of Korea	Hyo-nam Moon, Byung-ho Kim, Joon-yong Park, Yeoung-jun Park, Hyun-cheol Jang, Kyung-ah Lee, Sang-ki Park, Kwang-jun Kim, Han-kyun Kim
Russian Federation	Nikolay R. Kudashev, Alexey A. Dronov, Sergey P. Bulavin, Sofia Zakharova, Eduard V. Kabuneev, Viktor I. Kobylyakov, Vladimir A. Kopytin, Sergey V. Kuzmenko, Eduard V. Lokotunin, Viktor A. Nasedkin, Oleg P. Sidorov, Leonik G. Stepanov, Elina I. Skodtaeva, Sergey M. Tarasenko, Ernest V. Chernuchin

Saudi Arabia	Abdelrahim Bin Mashni Alghamdi, Mohsin Bin Abdulrahman Alyami, Mohamed Bin Abdelaziz Almehaizeh, Abdullah Bin Abdelwahab Alkhamis, Khalid Bin Fahad Al Shuniber, Omar Bin Saleh Alzahrani, Hamad Al Nathir, Abdullah Alhoryes
Senegal	Amadou Diallo
South Africa	L. M. Gumbi, V. P. Petersen, M. M. Malebye, X. V. Shabalala, N. B. Jacobs, M. Matthews, A. M. Lingwati, C. G. Nxumalo, M. T. Tserere, L. Govender, M. A. Mogadingwane, P. E. Ravhura
Turkey	Ahmet Ertay, Nehir Ünel, Sibel Müderrisoğlu, Aziz Yildirim
Uganda	Amos Ngolobe
Ukraine	Kateryna Levchenko, Oleksandr Shinalskiy, Oleh Herasymenko, Inna Fesenko, Oleksiy Illiashenko, Daria Prokof'eva, Antonina Karnaukhova
United Arab Emirates	Abdullah Yusef Al Shamesi, Mohammad Majed Mohammad B. Baleid, Tariq Yaqoub B. El Khayat, Khaled Saif Al Shaali, Ahmad Mohammad Al Hantoubi, Hamad Rashed Al Zaabi, Peter D'Arcy, Stephan Hess, Mohammad Nasser Abdul Alrazzooqi, Saeed Salem Almadhani, Ahmad Yusuf Abdullah Almansoori
United Kingdom of Great Britain and Northern Ireland	Simon Smith, Jonathan Sweet, Kevin McGurgan, Grant Oliver, Lucinda Butler, Elizabeth Howe, Gaynor Mears, Alison Crockett
United Republic of Tanzania	Marten Lumbanga, Peter Kivuyo, Rogers William Siyanga, Barala Luvanda, Naomi Zegezege Mpemba, Amani Msami Kisanga, Mikidadi Omary Khatib
United States of America	Gregory L. Schulte, John Bargeron, Geoffrey Pyatt, Claudia A. McMurray, John Brandolino, Christine Cline, Christine Dawson, Cindy Dyer, Carla Menares-Bury, Rocky Piaggione, Virginia P. Prugh, Kristina Rose, Cindy Smith, Soching Tsai, James Vigil, Stephanie Wickes

States Members of the United Nations represented by observers

Afghanistan, Albania, Algeria, Andorra, Angola, Australia, Azerbaijan, Belarus, Belgium, Bosnia and Herzegovina, Bulgaria, Burkina Faso, Cape Verde, Chad, Côte d'Ivoire, Croatia, Cuba, Cyprus, Czech Republic, Dominican Republic, Ecuador, Egypt, El Salvador, Estonia, Finland, France, Georgia, Ghana, Greece, Guinea, Hungary, Iraq, Ireland, Jordan, Kenya, Kuwait, Latvia, Lebanon, Liechtenstein, Lithuania, Luxembourg, Malaysia, Mali, Malta, Mauritania, Mexico, Mongolia, Montenegro, Morocco, Netherlands, Nicaragua, Norway, Oman, Panama, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Romania, Serbia, Singapore, Slovakia, Slovenia, Spain, Sri Lanka, Sweden, Switzerland, Syrian Arab Republic, Tajikistan, Thailand, the former Yugoslav Republic of Macedonia, Togo, Tunisia, Uruguay, Venezuela (Bolivarian Republic of), Viet Nam, Yemen, Zimbabwe

Non-member States represented by observers

Holy See

Entities represented by observers

Palestine

United Nations Secretariat

United Nations Office on Drugs and Crime

United Nations bodies and programmes

Office of the United Nations High Commissioner for Refugees, United Nations Development Programme, United Nations Environment Programme, United Nations Human Settlements Programme

United Nations research institutes

United Nations Interregional Crime and Justice Research Institute

United Nations commissions

Commission on the Status of Women, United Nations Commission on International Trade Law

Specialized agencies and other organizations in the United Nations system

International Labour Organization

Other intergovernmental organizations represented by observers

Asian-African Legal Consultative Organization, Council of Arab Ministers of the Interior, Council of Europe, Council of the European Union, Eurojust, European Commission, International Association of Anti-Corruption Authorities, International Organization for Migration, League of Arab States, Organization for Security and Cooperation in Europe, Organization of the Islamic Conference, Southern African Development Community

Other entities maintaining permanent observer offices

International Federation of Red Cross and Red Crescent Societies, Sovereign Military Order of Malta

Non-governmental organizations

General consultative status: Asia Crime Prevention Foundation, Friends World Committee For Consultation, International Alliance of Women, International Council of Women, International Federation of Business and Professional Women, International Trade Union Confederation, Muslim World League, Soroptimist International, World Federation of United Nations Associations, Zonta International

Special consultative status: Academy of Criminal Justice Sciences, African Action on AIDS, American Society of Criminology, Defence for Children International, Fundación Diagrama, Human Rights Watch, Humanus International,

International Association of Judges, International Association of Penal Law, International Association of Prosecutors, International Bar Association, International Commission of Catholic Prison Pastoral Care, International Corrections and Prisons Association for the Advancement of Professional Corrections, International Federation of Non-governmental Organizations for the Prevention of Drug and Substance Abuse, International Federation of University Women, International Police Association, International Society of Social Defence, International Sociological Association, the Japan Federation of Bar Associations, Medical Women's International Association, National Council of German Women's Organization, Pax Romana, Penal Reform International, Salvation Army, Socialist International Women, Syriac Universal Alliance, Transparency International, World Society of Victimology

***Roster*: Environmental Investigation Agency, Foundation for Subjective Experience and Research**

Annex II

Financial statement on the revised draft resolution entitled "Preparations for the Twelfth United Nations Congress on Crime Prevention and Criminal Justice"*

1. The present statement was made in accordance with rule 28 of the rules of procedure of the functional commissions of the Economic and Social Council.

2. In operative paragraphs 7, 9 and 12 of revised draft resolution E/CN.15/2008/L.7/Rev.1, the Commission on Crime Prevention and Criminal Justice would recommend, through the Economic and Social Council, that the General Assembly:

(a) Request the Secretary-General, in cooperation with the institutes of the United Nations Crime Prevention and Criminal Justice Programme network, to prepare a discussion guide for the regional preparatory meetings for the Twelfth United Nations Congress on Crime Prevention and Criminal Justice in a timely manner in order to enable the regional preparatory meetings to commence early in 2009, and invite Member States to be actively involved in that process;

(b) Emphasize the importance of the workshops to be held within the framework of the Twelfth Congress, and invite Member States, intergovernmental and non-governmental organizations and other relevant entities to provide financial, organizational and technical support to the United Nations Office on Drugs and Crime and the institutes of the United Nations Crime Prevention and Criminal Justice Programme network for the preparations for the workshops, including the preparation and circulation of relevant background material;

(c) Reiterate its request to the Secretary-General to facilitate the organization of regional preparatory meetings for the Twelfth Congress and to make available the necessary resources for the participation of the least developed countries in those meetings and in the Congress itself, in accordance with past practice.

3. The resource requirements relating to the provision of: (a) assistance with the preparation and servicing of the preparatory meetings of the Twelfth United Nations Congress on Crime Prevention and Criminal Justice; (b) specialized expertise to prepare technical research papers on the four substantive agenda items of the Twelfth Congress; (c) participation of the least developed countries in the regional preparatory meetings for the Twelfth Congress; and (d) the travel of staff to provide substantive servicing for the four regional preparatory meetings of the Twelfth Congress have been included under Section 16 ("International drug control, crime and terrorism prevention and criminal justice") of the programme budget for the biennium 2008-2009. Resource requirements for the biennium 2010-2011 will be considered in the context of established budgetary procedures.

4. Hence, approval of revised draft resolution E/CN.15/2008/L.7/Rev.1 would not entail any additional appropriation for the biennium 2008-2009.

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* For the text of the revised draft resolution, which originally appeared under the symbol E/CN.15/2008/L.7/Rev.1, see chapter I, section A. For the discussion, see chapter IV, section B.

Annex III

Financial statement on the revised draft resolution entitled "Protection against trafficking in cultural property"*

1. The present statement was made in accordance with rule 28 of the rules of procedure of the functional commissions of the Economic and Social Council.

2. In operative paragraph 3 of revised draft resolution E/CN.15/2008/L.2/Rev.1, the Commission on Crime Prevention and Criminal Justice would recommend that the Economic and Social Council reiterate its request that the United Nations Office on Drugs and Crime, in close cooperation with the United Nations Educational, Scientific and Cultural Organization, convene an open-ended intergovernmental expert group meeting, with interpretation in all the official languages of the United Nations, to submit to the Commission on Crime Prevention and Criminal Justice at its eighteenth session relevant recommendations on protection against trafficking in cultural property, including ways of making more effective the model treaty for the prevention of crimes that infringe on the cultural heritage of peoples in the form of movable property,[a] and invite Member States and other donors to provide extrabudgetary contributions for those purposes in accordance with the rules and procedures of the United Nations.

3. Should the Commission approve revised draft resolution E/CN.15/2008/L.2/Rev.1, it is envisaged that additional extrabudgetary resources in the amount of 222,500 United States dollars would be required by the United Nations Office on Drugs and Crime in order to implement the activities relating to the convening of one expert group meeting in Vienna for 15 experts with interpretation services in all six official languages. The level of resource requirements would provide for travel of experts, consultancy and conference services.

4. It is recalled that by resolution 62/237 A of 21 December 2007, the General Assembly approved regular budget resources totalling $36,819,000 under section 16 ("International drug control, crime and terrorism prevention and criminal justice") of the programme budget for the biennium 2008-2009. At the time of the adoption of the resolution, the General Assembly was informed that extrabudgetary resources for the section were projected at $290,160,000 for the same period.

5. Hence, approval of the revised draft resolution E/CN.15/2008/L.2/Rev.1, would not entail any additional appropriation for the biennium 2008-2009.

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* For the text of the revised draft resolution, which originally appeared under the symbol E/CN.15/2008/L.2/Rev.1, see chapter I, section B, draft resolution I. For the discussion, see chapter III, section B.

[a] *Eighth United Nations Congress on the Prevention of Crime and the Treatment of Offenders, Havana, 27 August-7 September 1990: report prepared by the Secretariat* (United Nations publication, Sales No. E.91.IV.2), chap. I, sect. B.1.

Annex IV

Financial statement on the revised draft resolution entitled "Strengthening the rule of law through improved integrity and capacity of prosecution services"*

1. The present statement was made in accordance with rule 28 of the rules of procedure of the functional commissions of the Economic and Social Council.

2. In operative paragraphs 1, 2 and 4 of revised draft resolution E/CN.15/2008/L.10/Rev.2, the Commission on Crime Prevention and Criminal Justice would:

(a) Request the United Nations Office on Drugs and Crime to circulate the Standards of Professional Responsibility and Statement of the Essential Duties and Rights of Prosecutors, annexed to the resolution, to Member States for their consideration and comments;

(b) Also request the United Nations Office on Drugs and Crime to prepare, by the third quarter of 2008, a structured, verbatim compilation of the comments received from Member States, as an addendum to the Standards of Professional Responsibility and Statement of the Essential Duties and Rights of Prosecutors;

(c) Request the United Nations Office on Drugs and Crime to continue to provide, upon request by Member States, technical assistance, including, as appropriate, material and tools, such as the Standards of Professional Responsibility and Statement of the Essential Duties and Rights of Prosecutors and the above mentioned addendum, to allow such Member States to strengthen the integrity and capacity of their prosecution services.

3. Should the Commission adopt revised draft resolution E/CN.15/2008/L.10/Rev.2, additional extrabudgetary resources would be required for the implementation of the required technical cooperation activities.

4. It is recalled that by resolution 62/237 A of 21 December 2007, the General Assembly approved regular budget resources totalling 36,819,000 United States dollars under section 16 ("International drug control, crime and terrorism prevention and criminal justice") of the programme budget for the biennium 2008-2009. At the time of the adoption of the resolution, the General Assembly was informed that extrabudgetary resources for section 16 were projected at $290,160,000 for the same period.

5. Hence, adoption of revised draft resolution E/CN.15/2008/L.10/Rev.2 would not entail any additional appropriation for the biennium 2008-2009.

* For the text of the revised draft resolution, which originally appeared under the symbol E/CN.15/2008/L.10/Rev.2, see chapter I, section D, draft resolution 17/2. For the discussion, see chapter V, section B.

Annex V

Financial statement on the revised draft decision entitled "Strengthening crime prevention and criminal justice responses to violence against women and girls"*

1. The present statement was made in accordance with rule 28 of the rules of procedure of the functional commissions of the Economic and Social Council.

2. In subparagraph (c) of the revised draft decision, the Commission on Crime Prevention and Criminal Justice would request the United Nations Office on Drugs and Crime to convene an intergovernmental group of experts with equitable geographical representation, in cooperation with the institutes of the United Nations Crime Prevention and Criminal Justice Programme network, the Commission on the Status of Women and the Special Rapporteur on violence against women, its causes and consequences, to review and update, as appropriate, the Model Strategies and Practical Measures on the Elimination of Violence against Women in the Field of Crime Prevention and Criminal Justice (General Assembly resolution 52/86, annex), taking into account current developments, research, tools and the outcome of the deliberations of the Commission on Crime Prevention and Criminal Justice at its seventeenth session, and to make recommendations on addressing violence against women and girls, to be considered by the Commission at its nineteenth session, and invite Member States and other donors to provide extrabudgetary contributions for those purposes in accordance with the rules and procedures of the United Nations.

3. Should the Commission adopt revised draft decision E/CN.15/2008/L.3/Rev.1, it is envisaged that additional extrabudgetary resources in the amount of 125,800 United States dollars would be required to implement the activities relating to the convening of an intergovernmental group of experts as per the provisions contained in subparagraph (c). This level of resource requirements would provide for: travel of experts; consultancy services for the preparation of the updated draft of the Model Strategies and the printing of the finalized Model Strategies; and contractual services relating to the printing of a 90-page colour document. No conference services would be required.

4. It was recalled that by resolution 62/237 A of 21 December 2007, the General Assembly approved regular budget resources totalling $36,819,000 under section 16 ("International drug control, crime and terrorism prevention and criminal justice") of the programme budget for the biennium 2008-2009. At the time of the adoption of the resolution, the General Assembly was informed that extrabudgetary resources for section 16 were projected at $290,160,000 for the same period. Hence, adoption of the revised draft decision would not entail any additional appropriation for the biennium 2008-2009.

* For the text of the revised draft decision, which originally appeared under the symbol E/CN.15/2008/L.3/Rev.1, see chapter I, section D, decision 17/1. For the discussion, see chapter II, section C.

Annex VI

Financial statement on the draft decision entitled "Improving the governance and financial situation of the United Nations Office on Drugs and Crime"*

1. The present statement was made in accordance with rule 28 of the rules of procedure of the functional commissions of the Economic and Social Council.

2. In subparagraphs (d) and (e) of draft decision E/CN.15/2008/L.5, the Commission on Crime Prevention and Criminal Justice would:

(a) Decide to establish an open-ended intergovernmental working group to discuss and prepare, taking into account, inter alia, the documents mentioned above, recommendations to be submitted to the Commission at its eighteenth session on how to ensure political ownership by the Member States and on how to improve the governance structure and financial situation of the United Nations Office on Drugs and Crime;

(b) Request the United Nations Office on Drugs and Crime to provide the working group with the necessary assistance to carry out its work.

3. Should the Commission adopt draft decision E/CN.15/2008/L.5, it is understood that in order to facilitate the work of the working group, conference services would be provided on an "if available" basis, including interpretation services for the opening and closing sessions, for a total of four meetings, if the dates for the holding of the working groups were determined in consultation between the Commission on Crime Prevention and Criminal Justice secretariat and the Department for General Assembly and Conference Management of the Secretariat. The meetings of the working group would constitute an addition to the established calendar of conferences and meetings of the United Nations for 2008-2009 and, as such, would require the approval of the Committee on Conferences of the General Assembly.

4. It is also envisaged that the working group would be a joint working group with the working group requested by the Commission on Narcotic Drugs in its decision 51/1 and that the report of the working group would distinguish between the Fund of the International Drug Control Programme and the United Nations Crime Prevention and Criminal Justice Fund and would be considered by both Commissions.

5. Hence, the adoption of draft decision E/CN.15/2008/L.5 would not entail any additional appropriation for the biennium 2008-2009.

* For the text of the draft decision, which originally appeared under the symbol E/CN.15/2008/L.5, see chapter I, section D, decision 17/2. For the discussion, see chapter VI, section B.

Annex VII

List of documents before the Commission at its seventeenth session

Symbol	*Agenda item*	*Title or description*
E/CN.15/2008/1	2	Provisional agenda, annotations and proposed organization of work
E/CN.15/2008/2	3 and 6	Report of the Secretary-General on crime prevention and criminal justice responses to violence against women and girls
E/CN.7/2008/3- E/CN.15/2008/3	4, 6 and 7	Report of the Executive Director on the activities of the United Nations Office on Drugs and Crime
E/CN.15/2008/4	4 (a) and (b)	Report of the Secretary-General on international cooperation in combating transnational organized crime and corruption
E/CN.15/2008/5	4 (c)	Report of the Secretary-General on assistance in implementing the universal conventions and protocols related to terrorism
E/CN.15/2008/6	4 (a)	Report of the Secretary-General on strengthening international cooperation in preventing and combating trafficking in persons and protecting victims of such trafficking
E/CN.15/2008/7	4	Note by the Secretariat on world crime trends and responses: integration and coordination of efforts by the United Nations Office on Drugs and Crime and by Member States in the field of crime prevention and criminal justice
E/CN.15/2008/8	4	Report of the Secretary-General on the activities of the institutes of the United Nations Crime Prevention and Criminal Justice Programme network
E/CN.15/2008/9	4	Report of the Executive Director on international cooperation in preventing and combating illicit international trafficking in forest products, including timber, wildlife and other forest biological resources
E/CN.15/2008/10	4	Report of the Executive Director on the Global Initiative to Fight Human Trafficking
E/CN.15/2008/11	6	Report of the Secretary-General on implementation of the Guidelines on Justice in Matters involving Child Victims and Witnesses of Crime
E/CN.15/2008/12	6	Report of the Secretary-General on strengthening justice, integrity and the rule of law through technical assistance in developing, transitional and post-conflict societies, with a focus on Africa
E/CN.15/2008/13	7	Note by the Secretary-General transmitting the report of the Board of Trustees of the United Nations Interregional Crime and Justice Research Institute

Symbol	*Agenda item*	*Title or description*
E/CN.15/2008/14	5	Report of the Secretary-General on follow-up to the Eleventh United Nations Congress on Crime Prevention and Criminal Justice and preparations for the Twelfth United Nations Congress on Crime Prevention and Criminal Justice
E/CN.7/2008/1- E/CN.15/2008/15	7	Report of the Executive Director on financial issues and difficulties faced by the United Nations Office on Drugs and Crime in implementing its mandates and an initial assessment of ways and means of improving the financial situation
E/CN.7/2008/12- E/CN.15/2008/16	7	Report of the Executive Director on programmes and initiatives to be implemented by the United Nations Office on Drugs and Crime in the bienniums 2008-2009 and 2010-2011
E/CN.15/2008/17	7	Note by the Secretary-General on the nomination of members of the Board of Trustees of the United Nations Interregional Crime and Justice Research Institute
E/CN.15/2008/18	7	Note by the Secretariat on resolutions and decisions relating to crime prevention and criminal justice adopted in the period 2003-2007 in which action by the United Nations Office on Drugs and Crime was requested
E/CN.7/2008/14- E/CN.15/2008/19	7	Report of the Executive Director on deviations from the standard programme support charge of 13 per cent during the period 2005-2007
E/CN.15/2008/20	4 (a)	Report of the meeting of the Open-ended Expert Group on International Cooperation in Preventing and Combating Illicit International Trafficking in Forest Products, including Timber, Wildlife and Other Forest Biological Resources, held in Jakarta from 26 to 28 March 2008
E/CN.15/2008/21	4	Letter dated 15 April 2008 from the Permanent Representatives of the Russian Federation and the United States of America to the United Nations (Vienna) addressed to the Executive Director of the United Nations Office on Drugs and Crime
E/CN.15/2008/L.1 and Add.1-5	10	Draft report of the Commission on its seventeenth session
E/CN.15/2008/L.2/Rev.1	4 (a)	Protection against trafficking in cultural property: revised draft resolution
E/CN.15/2008/L.3/Rev.1	3	Strengthening crime prevention and criminal justice responses to violence against women and girls: revised draft resolution
E/CN.15/2008/L.4	4	Enhancing crime prevention and criminal justice and the role of the private security sector: draft resolution

Symbol	*Agenda item*	*Title or description*
E/CN.15/2008/L.5	7	Improving the governance and financial situation of the United Nations Office on Drugs and Crime: draft decision
E/CN.15/2008/L.6/Rev.3	4	Efforts in the fight against trafficking in persons: revised draft resolution
E/CN.15/2008/L.7/Rev.1	5	Preparations for the Twelfth United Nations Congress on Crime Prevention and Criminal Justice: revised draft resolution
E/CN.15/2008/L.8/Rev.1	6	Prevention of urban crime: public safety and the role of citizenship; revised draft resolution
E/CN.15/2008/L.9/Rev.1	4 (a)	International cooperation in preventing and combating illicit international trafficking in forest products, including timber, wildlife and other forest biological resources: revised draft resolution
E/CN.15/2008/L.10/Rev.2	4	Strengthening the rule of law through improved integrity and capacity of prosecution services: revised draft resolution
E/CN.15/2008/L.11/Rev.1	8	Report of the Commission on Crime Prevention and Criminal Justice on its seventeenth session and provisional agenda for its eighteenth session
E/CN.15/2008/CRP.1	3	Aspects of violence against women that pertain directly to the Commission on Crime Prevention and Criminal Justice: note by the Secretariat
E/CN.15/2008/CRP.2	4 (a)	Report on the Vienna Forum to Fight Human Trafficking
E/CN.15/2008/CRP.3	3	Workshop on Eliminating Violence Against Women: background paper by the United Nations Crime Prevention and Criminal Justice Programme network
E/CN.15/2008/CRP.4	4	International cooperation in preventing and combating illicit international trafficking in forest products, including timber, wildlife and other forest biological resources: note by the Secretariat
E/CN.15/2008/NGO/1	6	Statement on penal reform submitted by a group of non-governmental organizations
E/CN.15/2008/NGO/2	3	Statement on the International Symposium on Domestic Crimes submitted by the Asia Crime Prevention Foundation
A/63/6 (Prog. 13)		Proposed strategic framework for the period 2010-2011: part two; biennial programme plan, programme 13